

Title 10  
TRAFFIC\*

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Chapter 10.04  
DEFINITIONS

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\* For statutory provisions pertaining to the powers of local authorities to enact laws affecting the operation of motor vehicles, see I.C.A. 321-236—321-251. For statutory provisions pertaining to motor vehicles generally, see I.C.A. 321—327

10.04.010 Scope of Definitions. The following words, when used in this title, shall be deemed to have or include the meanings set out herein. (Ord. 17-68 §1 (part), 1969)

10.04.020 Police Chief. "Police Chief" means the director and principal official in charge of the police department of the City. (Ord. 17-68 §1(1), 1969)

10.04.030 City Council. "City Council" means the legislative body of the City. (Ord. 17-68 §1(2), 1969)

10.04.040 Commercial Vehicle. "Commercial vehicle" means all vehicles used, for hire, for the transportation of persons or merchandise or other materials. (Ord. 17-6F §1(3), 1969)

10.04.050 Court Summons. "Court summons" means a writing signed by the judge of a court or by some other person by the judge's direction and bearing a court seal, when a seal is used, directing an appearance before him at a specified time. (Ord. 17-68 §1(4), 1969)

10.04.060 Crosswalk. "Crosswalk" means that part of the highway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersects and such other places, as may be indicated for pedestrian crossing by a limit line. (Ord. 17-68 §1(5), 1969)

10.04.070 Daytime. "Daytime" means the time of day between thirty minutes before sunrise and thirty minutes after sunset. (Ord. 17-68 §1(6), 1969)

10.04.080 Double Parking. "Double parking" means the standing of a vehicle upon the highway on the street side of a vehicle standing at the curb. (Ord. 17-68 §1(7), 1969)

10.04.090 Highway. "Highway" means any street, alley, avenue, boulevard or other roadway; square or public places open to public travel in this City. (Ord. 17-68 §1(8), 1969)

10.04.100 Limit Line. "Limit line," means any portion of a highway visibly marked to establish bounds for pedestrian traffic. (Ord. 17-68 §1(9), 1969)

10.04.110 Loading. "Loading" means the expeditious taking on or discharging passengers or loading or unloading merchandise from vehicles. (Ord. 17-68 §1(10), 1969)

10.04.120 Motor Vehicle. "Motor vehicle" means every vehicle, which is self-propelled.  
(Ord. 17-68 §1(11), 1969)

10.04.130 Nighttime. "Nighttime" means the time of day between thirty minutes after sunset and thirty minutes before sunrise. (Ord. 17-68 §1(12), 1969)

10.04.140 Officer. "Officer" means a member of the police department of the City, a member of the Iowa State safety patrol, the sheriff of Bremer County, or any other person authorized to direct traffic in this City. (Ord. 17-68 §1(13), 1969)

10.04.150 Operator. "Operator" means any person who is in actual control of a vehicle of any sort upon a highway within this City and any person parking or moving a vehicle whether remaining in the parked vehicle or not. (Ord. 17-6f §1 (14), 1969)

10.04.160 Owner. "Owner" means any person who holds the legal title o a vehicle or one who has the exclusive use thereof. (Ord. 17-68 §1(15), 1969)

10.04.170 Parking. "Parking" means the standing of a vehicle upon a highway whether occupied or not. (Ord. 17-6f §1(16), 1969)

10.04.180 Person. "Person" means every natural person firm, co-partnership, association or corporation. (Ord. 1768 §1(17), 1969)

10.04.190 Stop Street. "Stop street" means a highway designated by the City Council and marked with an approved stop sign at which vehicles are required to stop before entering the intersection. (Ord. 17-68 §1(18), 1969)

10.04.200 Summons. "Summons" means writing signed and issued by an officer directing an appearance before the judge of the police court or other magistrate at a specified time. (Ord. 17-68 §1(19), 1969)

10.04.210 Traffic Sign. "Traffic sign" means any suitable approved device used to advise the public of a traffic regulation. (Ord. 17-68 §1(20), 1969)

10.04.220 Traffic Signal. "Traffic signal" means any device, whether manually or automatically operated, by which traffic is alternately directed to stop and proceed. (Ord. 17-68 §1(21), 1969)

10.04.230 Vehicle. "Vehicle" means every device or contrivance used, or capable of being used, as a means of transportation on land of persons, merchandise or other materials, except those used exclusively upon stationary trails or tracks. (Ord. 17-68 §1(22), 1969)

Chapter 10.08  
ENFORCEMENT

Sections:

- 10.08.010 Compliance Required
- 10.08.020 Concealing Identity Prohibited
- 10.08.030 Liability for Violation
- 10.08.040 Failure to Obey a Summons
- 10.08.050 Promise to Appear in Lieu of Arrest
- 10.08.060 Promise to Appear in Lieu of Bail Bond
- 10.08.070 Unlawful Use of Motor Vehicle
- 10.08.080 Participating in Violation

10.08.010 Compliance Required. The ordinance codified herein is adopted in the interest of public safety, convenience and welfare. Every person shall comply with, observe and obey, when applicable to him, all the provisions and requirements of this title and the regulations and orders of the City Police Chief adopted or issued in pursuance hereof. No person shall disobey, ignore or refuse to comply with any lawful order, signal or direction of a police officer made in the performance of his duty, under the provisions of this title. (Ord. 17-68 §2, 1969)

10.08.020 Concealing Identity Prohibited. No person shall conceal or attempt to conceal his identity, or falsely identify himself to any police officer, or to any other person entitled under the provisions of this title to be informed of his identity. (Ord. 17-68 §3, 1969)

10.08.030 Liability for Violation. In any case of violation of any rule or regulation laid down or set out in this title in respect to a motor vehicle or other vehicle of any description, the operator of the vehicle shall be deemed to be the violator and to have committed the offense unless specifically set out otherwise in a section of this title. (Ord. 17-68 §4, 1969)

10.08.040 Failure to Obey a Summons. Any person who fails, refuses or neglects to appear at the place and time as directed in a summons issued by any police officer, or other officer authorized to issue summons, is guilty of violation of this title; and each day such person fails, refuses or neglects so to appear shall be a separate and distinct violation. (Ord. 17-68 §5, 1969)

10.08.050 Promise to Appear in Lieu of Arrest. An arresting officer may request a person accused of a violation of any of the provisions of this chapter to sign a promise to appear for hearing before a judge or other committing magistrate having jurisdiction of the violation, a time and place set out in such promise, and, if the accused signs the same and willfully fails to appear as promised, shall be deemed guilty of a misdemeanor. (Ord. 17-68 §6, 1969)

10.08.060 Promise to Appear in Lieu of Bail Bond. In lieu of bail, the judge of the court before whom the accused appears may release the accused person upon his written promise to appear in

court for trial or further proceedings at the time and place designated by the judge; and the willful failure of that person to appear as promised shall be deemed a misdemeanor. (Ord. 17-68 §7, 1969)

10.08.070 Unlawful Use of Motor Vehicle. The owner of a motor vehicle shall not knowingly permit his vehicle to be used in the violation of any of the provisions of this title. (Ord. 17-68 §8, 1969)

10.08.080 Participating in Violation. No person shall participate in the violation of any of the provisions of title with a motor vehicle while a passenger is in the vehicle or otherwise. (Ord. 17-68 §9, 1969)

#### Chapter 10.12

#### POLICE POWERS AND DUTIES

##### Sections:

10.12.010 Powers and Duties of the Police Chief

10.12.020 Emergency Traffic Control

10.12.030 Accident Investigations and Reports

10.12.010 Powers and Duties of the Police Chief. The Police Chief shall enforce the provisions of this title and the regulations adopted by him hereunder. He shall direct and control both vehicular and pedestrian traffic, and may temporarily close any highway or portion of same or restrict the use thereof when required by public safety and convenience. In the control and direction of traffic, the Police Chief may use officers, traffic signals, traffic signs, safety zones and any other device suitable for the purpose. (Ord. 17-68 §10, 1969)

10.12.020 Emergency Traffic Control. In case of fire, an emergency, a parade or other concourse of people, the Police Chief may direct traffic in any way conditions of the time may require notwithstanding the provisions of any ordinance. (Ord. 17-68 §11, 1969)

10.12.030 Accident Investigations and Reports. In case of accident, the Police Chief shall make, or cause to be made, a full. Investigation of the accident whenever the public interest requires, and shall keep, or cause to be kept, records embracing all pertinent accident information and shall make complete monthly reports, drawn from the records to the City Council. (Ord. 17-68 §12, 1969)

#### Chapter 10.16

#### ACCIDENTS

##### Sections:

10.16.010 Assistance and Identification at Scene

10.16.020 Reports

10.16.030 Striking Unattended Vehicle

10.16.040 Damage to Fixtures or Other Property

10.16.010 Assistance and Identification at Scene. In case of an accident to persons or to property upon a highway in this City due to the operation of any vehicle, the persons involved shall stop and give such reasonable assistance as can be given, and shall identify themselves to the other parties to the accident by giving their names and addresses and showing their operator's licenses. If the operator of the vehicle is not the owner thereof, the operator shall, in addition give the name and address of the owner of the vehicle. (Ord. 17-68 §13, 1969)

10.16.020 Reports. (a) Operator. The operator of a vehicle involved in an accident on a highway of this City resulting in injury or death to any person or causing a total property damage to an apparent extent of one hundred dollars or more, shall give immediate notice and full written report thereof to the police department. If an operator of a vehicle involved in the accident is so incapacitated as to be unable to make such a report, it is the duty of each other occupant of the vehicle at the time of the accident to see that such a report is made immediately.

(b) Garage or repair shop. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet, shall report to the police department immediately after the motor vehicle is received, giving the engine number, registration number, and the name and address of the owner and operator of the vehicle. (Ord. 17-68 §14, 1969)

10.16.030 Striking Unattended Vehicle. The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop, and shall then and there either locate and notify the operator or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof. (Ord. 17-68 §15, 1969)

10.16.040 Damage to Fixtures or Other Property. The driver or operator of any vehicle involved in an accident resulting only in damage to property legally upon or adjacent to a highway or any public place in this City, shall make a reasonable effort to locate and notify the owner or person in charge of such property of such fact, and give the person his name and address and the registration number of the vehicle he is driving and shall upon request and if available, exhibit his operator's or chauffeur's license; and, if the damage is to a traffic sign or signal, electric light post or light or other utility structure, the driver shall report the damage at the City Hall. (Ord. 17-68 §16, 1969)

## Chapter 10.20

### SPECIAL AND EMERGENCY PROVISIONS

#### Sections:

- 10.20.010 Processions and Parades
- 10.20.020 Regulations for Emergency Vehicles
- 10.20.030 Stop Signals or Signs
- 10.20.040 Bona Fide Emergency
- 10.20.050 Following Emergency Vehicle
- 10.20.060 Active Fire Apparatus

10.20.070 Crossing Fire Hose

10.20.080 Funeral Procession

10.20.090 Tampering With Vehicle

10.20.100 School Bus Approach Regulations

10.20.110 Tampering with Signs or Signals Prohibited-- Facsimiles

10.20.010 Processions and Parades. No procession or parade consisting of more than seven persons shall hereafter be permitted on any of the highways of this City without City Council approval issued or by the authority of the Mayor, and then only over a route previously approved by the Police Chief. No person or persons shall organize, lead or take part in or encourage others to organize, lead or take part in a procession or parade of multiple groups of the limited seven to avoid the securing of the City Council approval and route approval. (Ord. 17-68 §17, 1969)

10.20.020 Regulations for Emergency Vehicles. The operator of an emergency vehicle shall exercise his privileges carefully and drive his vehicle with due regard for the safety of all persons and vehicles using the highway. (Ord. 17-68 §18A, 1969)

10.20.030 Stop Signals or Signs. The operator of an authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal or any stop sign shall slow down as much as necessary for safety, but may proceed cautiously past the red or stop sign or signal. At all other times, operators of authorized emergency vehicles shall stop in obedience to a stop sign or signal. (Ord. 17-68 §18B, 1969)

10.20.040 Bona Fide Emergency. No operator of an authorized emergency vehicle shall assume any special privilege except when the vehicle is operated in response to an emergency call; or in the case of peace officers, when in immediate pursuit of an actual or suspected law violator. (Ord. 17-68 §18C, 1969)

10.20.050 Following Emergency Vehicle. No operator shall follow any emergency vehicle until the emergency vehicle shall be at least five hundred feet away or has stopped. (Ord. 17-68 §18D, 1969)

10.20.060 Active Fire Apparatus. No vehicle other than one on official business shall be driven into or park within the block where fire apparatus has stopped in answer to a fire alarm. (Ord. 17-68 §18E, 1969)

10.20.070 Crossing Fire Hose. No operator shall drive his vehicle over any fire hose or fire hose line without the consent of the fire department official in command. (Ord. 17-68 §18F, 1969)

10.20.080 Funeral Procession. All motor vehicles forming a funeral procession when going to any place of burial shall have the right-of-way over all other vehicles, except fire apparatus, ambulances and police vehicles, at any street or highway intersection within this City anything to the contrary in this title notwithstanding, provided, that each vehicle in the funeral procession shall have displayed on the front thereof a flag which

shall be white in color, upon which shall be printed, stamped or stamped a purple cross; other suitable insignia, or shall have lighted head lamps. (Ord. 17-68 §19, 1969)

10.20.090 Tampering With Vehicle. Any person who either individually or in association with one or more other persons willfully inures or tampers with any part or parts of or from a vehicle anywhere in this City without the consent of the owner, is guilty of a misdemeanor. (Ord. 17-68 §20, 1969)

10.20.100 School Bus Approach Regulations. The driver of any vehicle overtaking or meeting a school bus when stop warning signals are flashing, shall reduce the speed of the vehicle to not more than twenty miles per hour, and shall bring the vehicle to a complete stop when the school bus stops and the stop arm is extended, and the vehicle shall remain stopped at least fifteen feet from the school bus, until the stop arm of the school bus is retracted. (Ord. 17-68 §21, 1969)

10.20.110 Tampering With Signs or Signals Prohibited-Facsimiles. No person shall willfully move or alter any traffic sign or signal or limit line established by authority of the provisions above stated, and no person shall establish or maintain a traffic sign or signal or limit line except as herein provided, nor any other sign or device that may be mistaken for a regularly established traffic sign or signal. (Ord. 17-68 §22, 1969)

#### Chapter 10.24

#### OPERATING RULES

##### Sections:

- 10.24.010 Operating Rules
- 10.24.030 Vehicle Being Passed
- 10.24.040 Meeting Approaching Vehicles
- 10.24.050 Keeping to Right
- 10.24.060 Traffic Control Lanes Not Prevented
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10.24.990 Improper Use of Registration

10.24.010 Operating Rules. All operators of vehicles shall obey the operating rules in Sections 10.24.020 through 10.24.990. (Ord. 17-68 §23(part), 1969)

10.24.030 Vehicle Being Passed. Upon a signal by the operator of a faster moving vehicle approaching from the rear, the operator of a slower moving vehicle shall cause the vehicle to be driven in such manner as to permit the faster moving vehicle to pass, and shall not increase the speed of the slower moving vehicle until the faster moving vehicle has passed and is back in the right hand driving lane ahead. (Ord. 17-68 §23b, 1969)

10.24.040 Meeting Approaching Vehicles. Upon meeting vehicles approaching from the opposite direction, all operators of vehicles shall pass same to the right. (Ord. 17-68 §23c, 1969)

10.24.050 Keeping to Right. All operators of vehicles shall drive vehicles upon the right hand half of the highway or street, unless it is impracticable to travel on such side, and except when overtaking and passing a slower moving vehicle or an obstruction. (Ord. 17-68 §23d, 1969)

10.24.060 Traffic Control Lanes Not Prevented. The provisions of the above sections shall not be deemed to prevent the marking of lanes for traffic upon any street or highway and the allocation of designated lanes to traffic moving in a particular direction or at designated speeds. (Ord. 17-68 §23e, 1969)

10.24.070 Slow-Moving Vehicles. When operating slow moving vehicles, all operators of vehicles shall keep as near to the right curb as is practicable. (Ord. 17-68 §23f, 1969)

10.24.080 Right Turn Approach. Both the approaches for a right turn and the turn shall be made as near as practicable to the right hand curb or edge of the highway or street. (Ord. 17-68 §23gA, 1969)

10.24.090 Left Turn Approach. Approach for a left turn shall be made in that portion of the right half of the highway or street nearest the centerline thereof; and, after entering the intersection, the left turn shall be made so as to depart from the intersection to the right of the centerline of the highway or street being entered. (Ord. 17-68 §23gB, 1969)

10.24.120 U-Turns. No U-turns shall be made at any point on the roadways of this City except at roadway intersections where there are not traffic signs, signals or devices requiring a vehicle approaching the intersection from any direction to stop. 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 or hill where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet. (Ord. 17-68 §23gE, 1969)

10.24.130 Driving Through Private Property. No operator shall avoid or attempt to avoid obedience to any rule or regulation regarding a turn of any kind at any intersection by driving upon or through any private property, such as an oil station, vacant lot, or similar property. (Ord. 17-68 §23gF, 1969)

10.24.150 Obstructing Highway Prohibited. No person, except a peace officer or one acting under his directions, shall blockade or obstruct any highway in this City or in any way interfere with the free flow of traffic thereon, nor shall any person plan, direct, or encourage any other person or persons to do so. Should a vehicle become stalled or disabled on a highway, the operator or owner thereof shall remove it promptly. (Ord. 17-68 §25, 1969)

10.24.160 Heeding Warning Signals. In all cases the driver or operator of a vehicle to whom a warning signal has been given shall bring and keep his vehicle under such control as to be able to avoid a collision resulting from any misunderstanding of such signals, and shall in all cases heed such warnings given him. (Ord. 17-68 §26, 1969)

10.24.170 Operating Non-Registered Vehicle. It is a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 2, paragraph "b", for any person to drive or move or for an owner knowingly to permit to be driven or moved within the City limits a vehicle of a type required to be registered under Iowa code section 321.109, which is not registered, or for which the appropriate fee has not been paid, except as provided in section 321.109, subsection 3.

10.24.174 Failure to Have Valid License. (1) A person except those expressly exempted, shall not operate any motor vehicle within City limits unless the person has a driver's license issued by the Iowa Department of Transportation or a valid license issued by another state.

(2) A person operating a commercial motor vehicle shall not have more than one driver's license. A non-resident may operate a commercial motor vehicle within City limits if the nonresident has been issued a license by another state, a nonresident commercial driver's license, or a driver's license issued by a foreign jurisdiction which the federal highway administration has determined to be issued in conformity with the federal commercial driver testing and licensing standards, if the license, commercial driver's license, or driver's license is valid for the vehicle operated. A person who operates a commercial motor vehicle within City limits without having been issued a driver's license valid for the vehicle operated commits a simple misdemeanor.

(3) A licensee shall have the licensee's driver's license in immediate possession at all times, when operating a motor vehicle and shall display the same, upon demand of a judicial magistrate, district associate judge, district judge, peace officer, or examiner of the department. However, a person charged with violating this subsection shall not be convicted if the person produces, in court, within a reasonable amount of time, a driver's license issued to that person and valid for the vehicle operated at the time of the person's arrest or at the time the person was charged with a violation of this section.

10.24.174A Operating a Motor Vehicle with Expired License. A person shall not operate a motor vehicle within City limits with an expired driver's license.

10.24.180 Intersecting Paths. Where two vehicles are approaching on any public street or highway in this City so that their paths will intersect and there is danger of collision, the vehicle approaching from the left shall yield the right-of-way to the other. The foregoing rule is modified at through highways and at other times and places as set out elsewhere. (Ord. 17-68 §27B, 1969)

10.24.180B Violation of Graduated Driver's License. It is a simple misdemeanor, punishable as a scheduled violation under Iowa Code Section 805.8A (4)(a), for a person to operate a motor vehicle within City limits in any manner which is a violation of the restrictions imposed on a restricted license issued to that person under Iowa Code Section 321.180B.

(1) Instruction permits. The department may issue an instruction permit to an applicant between the ages of fourteen and eighteen years if the applicant meets the requirements to sections 321.184 and 321.186, other than a driving demonstration, and pays the required fee. An instruction permit issued under this section shall be valid for a period not to exceed two years from the licensee's birthday anniversary in the year of issuance. A motorcycle instruction permit issued under this section is not renewable. Subject to the limitations in this subsection, an instruction permit entitles the permittee, while having the permit in the permittee's immediate possession, to operate a motor vehicle other than a commercial motor vehicle or as a chauffeur or a motor vehicle with a gross vehicle weight rating of sixteen thousand one or more pounds upon the highways. Except as otherwise provided, a permittee who is less than eighteen years of age and who is operating a motor vehicle must be accompanied by a person issued a driver's license valid for the vehicle operated who is the parent or guardian of the permittee, member of the permittee's immediate family member is at least twenty-one years of age, an approved driver education instructor, a prospective drive education instructor who is enrolled in a practitioner preparation program with a safety education program approved by the state board of education, or a person at least twenty-five years of age if written permission is granted by the parent or guardian, and who is actually occupying a seat beside the driver. A permittee shall not operate a motor vehicle if the number of passengers in the motor vehicle exceeds the number of passenger

safety belts in the motor vehicle. If the applicant for an instruction permit holds a driver's license issued in this state valid for the operation of a motorized bicycle or a motorcycle, the instruction issued in this state valid for the operation of a motorized bicycle or a motorcycle, the instruction permit shall be valid for such operation without the requirement of an accompanying person. However, if the permittee is operating a motorcycle in accordance with this section, the accompanying person must be within audible and visual communications distance from the permittee and be accompanying the permittee on or in a different motor vehicle. Only one permittee shall be under the immediate supervision of an accompanying qualified person. A permittee shall not be penalized for failing to have the instruction permit in the permittee's immediate possession if the permittee produces in court, within a reasonable time, an instruction permit issued to the permittee and valid at the time of the permittee's arrest or at the time the permittee was charged with failure to have the permit in the permittee's immediate possession.

(2) Intermediate license. The department may issue an intermediate driver's license to a person sixteen or seventeen years of age who possesses an instruction permit issued under subsection I or comparable instruction permit issued by another state for a minimum of six months immediately preceding application, and who presents an affidavit signed by a parent or guardian on a form to be provided by the department that the permittee has accumulated a total of twenty hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the permittee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the permittee, and whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has been accident and conviction free continuously for, the six month period immediately preceding the application for an intermediate license. An applicant for an intermediate license must meet the requirements of section 321.186, including satisfactory completion of driver education as required in section 321.178 and payment of the required license fee before an intermediate license will be issued. A person issued an intermediate license must limit the number of passengers in the motor vehicle when the intermediate licensee is operating the motor vehicle to the number of passenger safety belts. Except as otherwise provided, a person issued an intermediate license under this subsection who is operating a motor vehicle between the hours of twelve-thirty a.m. and five a.m. must be accompanied by a person issued a driver's license valid for the vehicle operated who is a parent or guardian of the permittee, a member of the permittee's immediate family if the family member is at least twenty-one years of age, an approved driver education instructor, a prospective driver education instructor who is enrolled in a practitioner preparation program with a safety education program approved by the state board of education, or a person at least twenty-five years of age if written permission is granted by the parent or guardian, and who is actually occupying a seat beside the driver. However, a licensee may operate a vehicle to and from school related extracurricular activities and work without an accompanying driver between the hours of twelve-thirty a.m. and five a.m. if such licensee possesses a waiver on a form to be provided by the department. An accompanying driver is not required between the hours of five a.m. and twelve-thirty a.m.

(3) Remedial driver improvement action or suspension of permit or intermediate license. A person who has been issued an instruction permit or an intermediate license under the section, upon conviction of a moving traffic violation or involvement in a motor vehicle accident which occurred during the term of the instruction permit or intermediate license, shall be subject to remedial driver improvement action or suspension of the permit or license. A person possessing

an instruction permit who has been convicted of a moving traffic violation or has been involved in an accident shall not be issued an intermediate license until the person has completed the medial drive improvement action and has been accident and conviction free continuously for the six-month period immediately preceding the application for the intermediate license. A person possessing an intermediate license who has been convicted of a moving traffic violation or has been involved in an accident shall not be issued a full driver's license until the person has completed the remedial driver improvement action and has been accident and conviction free continuously for the twelve-month period immediately preceding the application for a full driver's license.

(4) Full driver's license. A full driver's license may be issued to a person seventeen years of age who possesses an intermediate license issued under subsection 2 or a comparable intermediate license issued by another state for a minimum of twelve months immediately preceding application, and who presents an affidavit signed by a parent or guardian on a form to be provided by the department that the intermediate licensee has accumulated a total of ten hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the licensee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the licensee, whose driving privileges have not been suspended, revoked, or barred under the chapter or chapter 321J during, and who has been accident and conviction free continuously for the twelve-month period immediately preceding the application for a full driver's license, and who has paid the required fee.

(5) Class M license education requirements. A person under the age of eighteen applying for an intermediate or full driver's license valid for the operation of a motorcycle shall be required to successfully complete a motorcycle education course either approved and established by the department or transportation or from a private or commercial driver education school licensed by the department of transportation before the class M license will be issued. A public school district shall charge a student a fee, which shall not exceed the actual cost of instruction minus moneys received by the school district under subsection 6.

(6) Motorcycle rider education fund. The motorcycle rider education fund is established in the office of the treasurer of state. The moneys credited to the fund are appropriated to the state department of transportation to be used to establish new motorcycle rider education courses and reimburse sponsors of a motorcycle rider education courses for the costs of providing motorcycle rider education courses approved and established by the department. The department shall adopt rules under chapter 17A providing of the distribution of moneys to sponsors of motorcycle rider education courses based upon the cost of providing the education courses.

10.24.190 Turning at Intersection. 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 when the operator or driver has so yielded and has given a signal as required by this chapter he may make the left turn and the drivers or operators of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the turning vehicle. (Ord. 17-68 §27C, 1969)

10.24.193 Violation of Conditions of Restricted License. As provided by rule, the department may impose restriction suitable to the licensee's driving ability with respect to the type of motor

vehicle or special mechanical control devices required on a motor vehicle which the licensee may operate or other restriction applicable to the licensee as the department may determine to be appropriate. The department may set forth restriction upon the driver's license. The department may suspend or revoke the driver's license upon receiving satisfactory evidence of any violation of the license's restrictions. It is a simple misdemeanor, punishable as scheduled violation under section 805.8A, subsection 4, paragraph "a", for a person to operate a motor vehicle in any manner in violation of the restriction imposed on a restricted license issued of that person under this section.

10.24.194 Violation of Conditions of Minor's School License. (1) Driver's license issued for travel to and from school. Upon certification of a special need by the school board superintendent of the applicant's school, or principal, if authorized by the superintendent, the department may issue a class C or M driver's license to a person between the ages of fourteen and eighteen years whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has not been convicted of a moving traffic violation or involved in a motor vehicle accident for, the six-month period immediately preceding the application for the special minor's license and who has successfully completed an approved driver education course. However, the completion of a course is not required if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant. The department shall adopt rules defining the term "hardship" and establish procedures for the demonstration and determination of when completion of the course would impose a hardship upon an applicant.

(a) The driver's license entitles the holder, while having the license in immediate possession, to operate a motor vehicle other than a commercial motor vehicle or as a chauffeur.

(1) During the hours of 6 a.m. to 10 p.m. over the most direct and accessible route between the licensee's residence and school of enrollment and between schools of enrollment for the purpose of attending duly scheduled courses of instruction and extracurricular activities within the school district.

(2) At any time when the licensee is accompanied in accordance with section 321.180B subsection 1.

(b) Each application shall be accompanied by a statement from the school board superintendent, or principal, if authorized by the superintendent, or the applicant's school. The statement shall be upon a form provided by the department. The school board superintendent, or principal, if authorized by the superintendent, or principal authorized by the superintendent is not responsible for actions of the applicant, which pertain to the use of the driver's license. Upon receipt of a statement of necessity, the department shall issue the driver's license. The fact that the applicant resides at a distance less than one mile from the applicant's school of enrollment is prima facie evidence of nonexistence of necessity of the issuance of a license. The school board shall develop and adopt a policy establishing the criteria that shall be used by a school district administrator to approve or deny certification that a need exists for a license. The student may appeal to the school board the decision of a school district administrator to deny certification. The decision of the school board is final. The driver's license shall not be issued for purposes of attending a public school in school district other than either of the following:

(1) The district of residence of the parent or guardian of the student.

(2) A district which is contiguous to the district of residence of the parent or guardian of the student, if the student is enrolled in the public school which is not the school district of residence

because of open enrollment under section 282.17 or as a result of an election by the student's district of residence to enter into one or more sharing agreements pursuant to the procedures in chapter 282. It is a simple misdemeanor, punishable as scheduled violation under Iowa Code Section 805.8A(4)(a), for a person to operate a motor vehicle within City limits in any manner which is a violation of the restrictions imposed on a special minor's license issued to that person under Iowa Code Section 321.194.

10.24.211 Stop on Mill Street. The driver or operate of a motor vehicle shall stop on Mill Street prior to entering the intersection at Main Street in the City. (Ord. 3-72 §1, 1973)

10.24.220 Permitting Unauthorized Person to Drive. A person shall not knowingly authorize or permit a motor vehicle owned by the person or under the person's control to be driven within City limits by a person who is not issued a driver's license valid for the vehicle's operation. A person convicted of a violation of this section is guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 4, paragraph "c".

10.24.230 Crosswalks. Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way slowing down or even stopping, if need be to so yield, to a pedestrian crossing the highway within any marked crosswalk or within any unmarked crosswalk at an intersection. (Ord. 17-68 §27G, 1969)

10.24.240 Backing. (a) Safety Precaution. No operator shall back a vehicle on a highway of this City unless he first ascertains that it can be done safely.

(b) Warning Signal. No vehicle shall be backed without first giving an unmistakable warning signal to pedestrian and approaching vehicles. (Ord. 17-68 §28, 1969)

10.24.277 Reckless Driving. No person shall drive a vehicle in such a manner as to indicate a willful or wanton disregard for the safety of persons or property. Any person who drives a vehicle in such a manner shall be guilty of a simple misdemeanor. (Ord. 17-68 §30, 1969)

10.24.277A Careless Driving. Any person who drives, rides, or directs, causes or permits to be driven or ridden any motor vehicle, bicycle or other vehicle, in a careless or improper manner or without due regard for the safety. It is unlawful for any person in operating a motor vehicle within the City limits, to so accelerate the vehicle as to cause audible noise by the friction of the tires on the pavement or to cause the tires of the vehicle to leave a skid mark on the pavement, except when such acceleration is reasonable necessary to avoid a collision. (Ord. 17-68 §43, 1969)

10.24.284 Open Containers--Driver. A person driving or riding in a motor vehicle shall not knowingly possess in a motor vehicle upon a public street or highway within City limits an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage, wine, or beer with the intent to consume the alcoholic beverage, wine, or beer while the motor vehicle is upon a public street or highway. Evidence that an open or unsealed receptacle containing an alcoholic beverage, wine, or beer was found during an authorized search in any compartment or any unlocked portable device of the motor vehicle while it's upon a public street or highway is evidence from which the court or jury may infer that the driver or passenger(s) intended consume

the alcoholic beverage, wine, or beer while upon the public street or highway if the inference is supported by corroborative evidence. However, an open or unsealed receptacle containing an alcoholic beverage, wine, or beer may be transported at any time in the trunk of the motor vehicle or in some other areas of the interior of the motor vehicle not designed or accessible to the driver or passenger(s) while the motor vehicle is in motion or parked on a public street or highway. A person convicted of this section is guilty of a simple misdemeanor.

10.24.284A Open Container—Passenger. 1. A passenger in a motor vehicle upon a public street or highway within City limits shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can jar, or other receptacle containing an alcoholic beverage. “Passenger area” means the area of a motor vehicle designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk.

2. This section does not apply to a passenger being transported in a motor vehicle designed, maintained, or used primarily for transportation of person for compensation, or a passenger being transported in the living quarters of a motor home, manufactured or mobile home, travel trailer, or fifth-wheel trailer.

3. A person convicted of a violation of this section is guilty of a simple misdemeanor punishable as scheduled violation under section 805.8A.

10.24.288 Fail to Maintain Control. A person operating a motor vehicle within City limits shall have the vehicle under control at all times and shall reduce the speed to a reasonable and proper rate:

(1) When approaching and passing a person walking in a traveled portion of the public highway.

(2) When approaching and passing an animal which is being led, ridden, or driven upon a public highway.

(3) When approaching and traversing a crossing or intersection of public highways, or a bridge, sharp turn, curve, or steep descent, in a public highway.

(4) When approaching and passing an emergency warning device displayed in accordance with rules adopted Iowa Code under section 321.449 , or an emergency vehicle displaying a revolving or flashing light.

(5) When approaching and passing a slow moving vehicle displaying a reflective device or alternative reflective device as provided by section 321.383.

(6) When approaching and passing through a sign-posted roadwork zone upon the public highway.

(7) A violation of this section is a simple misdemeanor punishable by a fine of up to \$500 and thirty days in jail.

10.24.303 Unsafe Passing. A vehicle shall not be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the

safe operation of a vehicle approaching from the opposite direction or a vehicle overtaken. The overtaking vehicle shall return to the right-hand side of the roadway before coming within three hundred feet of a vehicle approaching from the opposite direction when traveling on a roadway having a legal speed limit in excess of thirty miles per hour, and the overtaking vehicle shall return to the right-hand side of the roadway before coming within one hundred feet of a vehicle approaching from the opposite direction when traveling on a roadway having a legal speed limit of thirty miles per hour or less.

10.24.310 Prohibited Passing. No vehicle shall pass another vehicle within one hundred feet of any intersection in the City. (Ord. 4-85 §1, 1985)

10.24.313 Starting. The operator of a standing vehicle about to start shall give moving vehicles the right-of-way, and no operator shall start a vehicle which is stopped, standing or parked unless and until the movement can be made with reasonable safety.

10.24.314 Unsafe Turn or Failure to Give Signal. No person shall turn a vehicle from a direct course upon a roadway 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. Any person in violation of this section will be fine accordance with state code section 321.314 of the Iowa code. (Ord. 17-68 §23gC, 1969)

10.24.315 Failure to Give Continuous Signal. A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning when the speed limit is forty-five miles or less and a continuous signal during not less than the last three hundred feet when the speed limit is in excess of forty-five miles per hour. (Iowa code sec. 321.315/Ord.17-68 23gD, 1969) (Ord. 17-68 §23gD, 1969)

10.24.316 Stopping. No operator shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal by means of a signal device approved by the Iowa department of Public Safety, or by extending the hand and arm downward from the outside left side of the vehicle to the driver of any vehicle approaching or standing immediately to the rear, where there is an opportunity to give the signal.

10.24.319 Fail to Yield to Vehicle on Right. When two vehicles enter an intersection from different highways or public 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. The foregoing rule is modified at through highways and otherwise as hereinafter stated in this chapter.

10.24.320 Fail to Yield Upon Left Turn. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road within an intersection or into an alley, private road or driveway shall yield the right of way to all vehicles approaching from the opposite direction which are within the intersection or so close thereto as to constitute an immediate hazard, then said driver, having so yielded and having given a signal when as required by this chapter, may make such left turn.

10.24.321 Entering Highway. The driver or operator of a vehicle shall stop or yield, as required by this chapter, at the entrance to a through highway and shall yield the right-of-way to other vehicles which have entered the intersection from the through highway or which are approaching so closely on the through highway as to constitute a hazard, but the driver having so yielded may proceed cautiously and with due care enter the through highway. (Ord 17-68 §27D, 1969)

10.24.322 Stop Signs. The driver or operator of a vehicle shall stop at an intersection where a stop sign is erected, although not a part of a through highway, and shall proceed cautiously, yielding the right-of-way to vehicles not obliged to stop which are within the intersection or are approaching so closely as to constitute a hazard, but may then proceed.

10.24.324 Failure to Yield to Emergency Vehicles. Upon the immediate approach of an authorized emergency vehicle with any lamp or device displaying a red or blue lights, or an authorized emergency vehicle of a fire department displaying a blue light, or when the driver is giving audible signal by siren exhaust whistle, or bell, 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 police officer. For the purposes of this section, “red light” or “blue light” means a light or lighting device that, when illuminated, will exhibit a solid flashing or strobing red or blue light. Upon the approach of an authorized emergency vehicle, as above stated, the driver of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the roadway. (Ord. 17-68 §27F, 1969)

10.24.353 Emerging Onto Street. The operator of a vehicle emerging from an alley, driveway, building, or private roadway, shall stop the vehicle immediately prior to driving onto the sidewalk area, and thereafter he shall proceed into the sidewalk area only when he can do so without danger to pedestrians, and he shall yield the right-of-way to any vehicular traffic on the street into which his vehicle is entering. (Ord. 17-68 §27A, 1969)

10.24.363 Obstructive Objects on Vehicle Prohibited. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver’s control over the driving mechanism of the vehicle. No passenger in a vehicle shall ride in such position as to interfere with the driver’s view ahead or to the sides, or to interfere with the driver’s control over the driving mechanism of the vehicle.

10.24.415 Failure to Dim. Whenever a motor vehicle is being operated on a roadway or shoulder during the times specified in section 10.52.384, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitation:

1. Whenever a driver of a vehicle approaches an oncoming vehicle within one thousand feet, the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lower-most distribution of light, or composite beam, specified in section 321.409, subsection 2, shall be deemed to avoid glare at all times, regardless of road contour and loading.
2. Whenever the drive of a vehicle follows another vehicle within four hundred feet to the rear, except when engaged in the act of overtaking and passing, the driver shall use a drtribution of light permissible under this chapter other than the uppermost distribution of light specified in section 321.409, subsection 1.
3. the provisions of subsections 1 and 2 do not apply to motorcycles or motorized bicycles being operated between sunrise and sunset.

10.24.970 Prohibited Passing—State Street. No vehicle shall overtake and pass another vehicle on State Street on the right-hand side and said right-hand side shall be used only for right turns as provided in Section 10.24.080. (Ord. 4-85 §2, 1985)

10.24.990 Improper Use of Registration. A person shall not knowingly lend to another a registration car, registration plate, special plate, or permit issued to the person if the other person desiring to borrow the card, plate, or permit would not be entitled to the use of it. A person shall not knowingly permit the use of a registration card, registration plate, special plate, or permit issued to the person by one not entitled to it, nor shall a person knowingly display upon a vehicle a registration card, registration plate, special plate, or permit not issued for that vehicle undert his chapter. A person convicted of aviolation of this section is guilty of a simple disdemeanor punishable as a scheduled violation under section 805.8A, subsection 2, paragraph “d”.

#### Chapter 10.28 PASSENGERS

##### Sections:

- 10.28.010 Seat Occupancy Restriction
- 10.28.020 Interference with Operator Prohibited

10.28.010 Seat Occupancy Restriction. No operator shall drive a motor vehicle with more than two persons on the seat with him. (Ord. 17-68 §32, 1969)

10.28.020 Interference with Operator Prohibited – No person shall inferere with the operator of a vehicle while the vehicle is moving on the streets of this City so as to impair the driver’s safe and careful operation of the vehicle. (Ord. 17-68 §33, 1969)

#### Chapter 10.32 PARKING

##### Sections:

- 10.32.010 Restricted Parking Areas
- 10.32.020 Liability for Vehicle without Operator
- 10.32.030 Abandonment--Prima Facie Evidence
- 10.32.040 Sidewalk Obstruction

- 10.32.050 Unattended Vehicle
- 10.32.060 Stopping or Parking
- 10.32.070 Exceptions
- 10.32.080 Special Parking
- 10.32.090 Parking in Alleys
- 10.32.110 State Street between Washington Street & Franklin Street
- 10.32.120 State Street between Washington Street and Fayette Street
- 10.32.160 Prohibited Parking

10.32.010 Restricted Parking Areas. No person shall park or stand a vehicle on the highways of this City except in an emergency breakdown or by direction of a traffic officer, and then only so long as is absolutely necessary, in the following designated places:

- (1) In a public alley except to load or unload expeditiously, during which time the parking shall not obstruct other vehicles from parking;
- (2) A space of twenty-five feet, as reserved, at the side of the street in front of any theater, auditorium, hotel having more than twenty-five sleeping rooms, or other buildings where large assemblages of people are being held, within which space, when clearly marked, no motor vehicle shall be left standing parked or stopped except for the purpose of taking or discharging passengers or freight, and then only for such length of time as is necessary for such purpose;
- (3) On a sidewalk in front of a public or private driveway, within an intersection; within five feet of a fire hydrant, on a crosswalk; within ten feet of any flashing beacon, stop sign, or traffic control signal located at the side of a street or highway;
- (4) Within twenty feet of the driveway entrance to any fire station; and on the side of the street opposite the entrance to any fire station, when properly sign-posted, for a distance of seventy-five feet;
- (5) On the street side of any vehicle stopped, standing or parked at the edge or curb of a street;
- (6) At any place where official signs prohibit stopping, parking or standing a motor vehicle;
- (7) Any place on the area of land lying between the street curb or the traveled part of a highway and the property line where doing so would obstruct the view and make the use of the street or highway hazardous;
- (8) On the left side of a street or highway in this City;
- (9) No person shall park or stand a vehicle on the north side of Fayette Street for a distance of eighty-five feet west of State Street;
- (10) No truck and/or trailer licensed for five tons or over shall be parked in any residential area within the City limits of the City of Denver, Iowa;
- (11) No person shall park or stand a vehicle on the west side of State Street between Fayette Street and Franklin Street within the City of Denver, Iowa;
- (12) No person shall park or stand any vehicle on the south side of Main Street on the street adjoining the west forty-four feet of Lot 4, Block 10 of the original City of Denver, Iowa;
- (13) No person shall park or stand any vehicle on the south side of Iowa Street between Mill Street and Schneider Street. (Ord. 6-82 §1, 1982; Ord. 4-81 §1, 1981; Ord. 4-80 §§1, 2, 1980; Ord. 2-78B §1, 1978; Ord. 5-72 §1, 1972; Ord. 17-68 §35, 1969)

10.32.020 Liability for Vehicle without Operator. Whenever the operator of a vehicle is not in the vehicle, the owner thereof shall be charged with violation of any of the provisions of this chapter. (Ord. 17-68 §36, 1969)

10.32.030 Abandonment--Prima Facie Evidence. Continuous standing of a vehicle on a highway o this City for a period of forty-eight hours or over shall be deemed prima facie evidence of abandonment. (Ord. 17-68 §37, 1969)

10.32.040 Sidewalk Obstruction. No person shall drive, load or back any vehicle on or along any sidewalk in a street, highway or public place in this City, except at such points or places designated for such purposes by the lowering of the curb, or where it is otherwise impracticable to load or unload merchandise. In no event shall a sidewalk be obstructed more than necessary for a longer time. (Ord. 17-68 §38, 1969)

10.32.050 Unattended Vehicle. No person driving or in charge of a motor vehicle shall permit it to stand unattended, without first stopping the engine; or when standing upon a perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway. (Ord. 17-68 §39, 1969)

10.32.060 Stopping or Parking. It is unlawful to stop or park a vehicle on the street, in any other way except heading into the curb at an angle of sixty degrees with the property line. (Ord. 33 §1, 1929)

10.32.070 Exceptions. The provisions in this chapter in regard to stopping a vehicle shall not apply in cases of emergency, when the stop is made to avoid accident or allow pedestrians or vehicles to cross in front of the vehicle, or when made in obedience to a signal of a police officer. (Ord. 33 §2, 1929)

10.32.080 Special Parking. It is unlawful to park any vehicle on State Street from Washington Street to Fayette Street, unless the right side of the vehicle is next to and parallel with the curb or as near thereto as the condition of the street will permit. (Ord. 33 §3, 1929)

10.32.090 Parking in Alleys. It is unlawful to park any vehicle in any alley in the business district or park a vehicle in any other alley of the municipality between the time of one-half hour after sunset to one-half hour before sunrise. (Ord. 33 §4, 1929)

10.32.110 State Street between Washington Street and Franklin Street. The parking of trucks on State Street between Washington Street and Franklin Street is prohibited. State Street shall be so marked as to be plainly visible to all motorists with approved signs to this effect. (§§1, 2 of Ord. passed June 1, 1953)

10.32.120 State Street between Washington Street and Fayette Street. The parking of trucks on State Street between Washington Street and Fayette Street is prohibited in areas so designated. State Street shall be so marked as to be plainly visible to all motorists with approved signs to this effect. (Ord. 2-64 §§1, 2, 1964)

10.32.160 Prohibited Parking. (a) Parking is prohibited on Fayette Street between the intersection of Russell Street and Powell Street from the hours of eight a.m. to four p.m. Monday through Friday of each week, and the street department is directed to erect signs indicating such area as a no parking zone.

(b) Diagonal parking is prohibited on Franklin Street between the intersection of Powell Street and Farrington Street, and the street department is directed to erect signs indicating parallel parking on said street only between the aforementioned intersections.

(c) Parking is prohibited on State Street within the City of Denver, Iowa, along the West Side of South State Street between Fayette Street and Eagle Street.

(d) Parking is prohibited on Fayette Street within the City, from the intersection of State Street to the intersection of Transit Street on the north and south sides of Fayette. (Ord. 4-94 §1, 1994; Ord. 2-79 §1, 1978; Ord. 2-77 §1, 1977)

#### Chapter 10.36

#### DEBRIS AND INJURIOUS MATERIAL

##### Sections:

10.36.020 Removal of Injurious Material

10.36.030 Clearing Wrecks

10.36.369 Putting Bottles or Debris on Highway

10.36.020 Removal of Injurious Material. Any person who drops, or permits to be dropped or thrown, upon any highway in this City any destructive or injurious material and other material as defined in Section 10.36.010, shall immediately remove it or cause it to be removed. (Ord. 1768 §41, 1969)

10.36.030 Clearing Wrecks. Any person removing a wrecked or damaged vehicle from a highway in this City shall remove any glass or other injurious substance dropped upon the highway from the vehicle. (Ord. 17-68 §42, 1969)

10.36.369 Putting Bottles or Debris on Highway. No person shall throw or deposit upon public street within City limits any glass bottle, glass, nails, tacks, wire, cans trash, garbage, rubbish, litter, offal, or any other debris. A person shall not throw or deposit upon the public streets of this City a substance likely to injure any person, animal, or vehicle upon the highway. Any person who drops, or permits to be dropped or thrown, upon the public streets of this City any destructive or injurious material and other material as defined in this section shall immediately remove the same or cause it to be removed. A person who violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 14, paragraph "d".

#### Chapter 10.38

#### SNOW REMOVAL

##### Sections:

10.38.010 Parking During Snow Removal Unlawful

10.38.020 Parking During Snow Removal--Areas Designated

## 10.38.030 Snow Removal Restrictions

10.38.010 Parking During Snow Removal Unlawful. Parked, abandoned or unattended vehicles on any public street, alley or in City-owned off-street parking areas shall be moved within twenty-four hours of any measurable snow or ice accumulation, and no person shall park, abandon or leave unattended any vehicle on any public street, alley, or City owned off-street parking area during snow or ice removal operations unless the snow or ice has been removed or plowed from said street, alley or parking area and the snow or ice has ceased to fall. (Ord. 1-90 §1, 1990)

10.38.020 Parking During Snow Removal--Areas Designated. From November 1st through April 1st of each year, during the hours of two a.m. until seven a.m., no person shall park, abandon or leave unattended any vehicle on the following streets, should snow or ice removal be required:

- (1) On Main Street from its intersection with the State Street to its intersection with Holmes Street;
- (2) On Mill Street from its intersection with Main Street south to the center of the alley which exists between Main and Franklin Streets;
- (3) On State Street from its intersection with Washington Street to its intersection with Eagle Street. (Ord. 1-90 §2, 1990)

10.38.030 Snow Removal Restrictions. No person shall in any manner remove snow from private property into the City streets, alleys or off-street parking areas. (Ord. 190 §3, 1990)

## Chapter 10.40

## SPEED REGULATIONS

## Sections:

- 10.40.010 General
- 10.40.015 Special Fifteen Mph Speed Zones
- 10.40.025 Twenty-Five Mph Speed Zones
- 10.40.030 Special Thirty Mph Speed Zones
- 10.40.035 Special Thirty-Five Mph Speed Zones
- 10.40.045 Special Forty-Five Mph Speed Zones
- 10.40.055 Fifty-Five Mph Speed Zones
- 10.40.065 Sixty-Five Mph Speed Zones
- 10.40.070 Minimum Speed
- 10.40.080 Special Speed Restrictions
- 10.40.090 Posted Speed Limits

10.40.000 General. Any person driving a motor vehicle on a street in the City of Denver shall drive the same at a careful and prudent speed not greater nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street and of any other conditions then existing. No person shall drive any vehicle upon a street at a speed greater than will permit the person to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law. The following shall be the lawful speed except as hereinbefore or hereinafter , modified: and any speed in excess thereof

shall be unlawful. By deleting chapter 10.40 Section .010 thereof: "The lawful speed upon Fayette Street within the City shall be twenty-five miles per hour." (Ord. 3-94 §1(part), 1994)

10.40.015 15-Mph Speed Zones. 1. A speed in excess of fifteen miles per hour in any public park, cemetery, or parking lot, unless specifically designated otherwise in this chapter, is unlawful. (Ord. 3-94 §1(part), 1994)

10.40.020 20 Mph Speed Zones. A speed in excess of twenty miles per hour in any school district, unless specifically designated otherwise in this chapter, is unlawful.

A. The following streets are included in the school district: Fairview between Lincoln St. and E. Eagle Street. Lincoln St between Fairview and S. Mill St., E. Eagle St. between Fairview and S. Mill St., E. Franklin St between Farrington and Holmes, E. Fayette between Farrington and Holmes. S. Holmes and S. Farrington between E. Franklin and E. Fayette Streets.

10.40.025 25-Mph Speed Zones. A speed in excess of Twenty-five miles per hour in any residence or school district, unless specifically designated otherwise in this chapter, is unlawful.

A. The following streets are included in the residence district, Forest Avenue, Iowa St., Washington St., Main St. between Holmes St. and Schneider St., Franklin St., Fayette St., Eagle St., Hoover St., Lincoln St., Grant St., Prestien Dr., Donna St., Schumacher Parkway, Schumacher Drive, Condo Court, Transit St., Mill St., Holmes St., Russell St., Farrington St., Powell St., Fairview St., Schneider St., Ridgeway St., Longview St., Sunny Lane St., Willow Run St., Sunrise St, and any new streets that are added to the residence district after adoption of this ordinance.

B. Included in the twenty-five mile per hour zone is Commercial St in its entirety. Main St between Transit St. and Holmes. (Ord. 3-94 §1(part), 1994)

10.40.030 Special 30-Mph Speed Zones. A speed in excess of Thirty miles per hour shall be unlawful on any of the following designated streets -

A. State Street from the north side of the Forest Avenue intersection, south to the south side of the Prestien Dr intersection. (Ord. 3-94 §1(part), 1994)

10.40.035 35 Mph Speed Zones. A speed in excess of thirty five miles per hour shall be unlawful on any of the following designated streets:

A. West Fayette, beginning at the west Denver corporate limits, east, to the west side of the bridge over the quarter section run.

B. East Fayette, beginning at the east side of the inter-section of Sunny Lane and proceeding east to the Denver corporate limits.

C. Hillside drive. North State Street, from the north side of the Forest Avenue intersection, north, to the Denver corporate limits. (Ord. 3-94 §1(part), 1994)

10.40.045 45-Mph Speed Zones. A speed in excess of forty-five miles per hour shall be unlawful on any of the following designated streets:

A. State Street – Beginning at the south Denver corporate limits, north to the south side of the Prestien Dr. intersection. (Ord. 3-94 §1 (part), 1994)

10.40.055 55-Mph Speed Zones. A speed in excess of fifty-five miles per hour shall be unlawful on any of the following designated streets:

10.40.065 65-Mph Speed Zones. A speed in excess of sixty-five miles per hour shall be unlawful on any of the following designated streets. The relocated US Highway 63 bypass on the West Side of Denver, as it exists within the Denver corporate limits. (Ord. 3-94 §1 (part), 1994)

10.40.070 Minimum Speed. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with the law. (Ord. 3-94 §(part), 1994)

10.40.080 Special Speed Restrictions. In accordance with requirements of the Iowa Department of Transportation, or whenever the Denver City Council shall determine upon the basis of an engineering; and traffic investigation that any speed limit hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe thereat. (Ord. 3-94 §1 (part), 1994)

10.40.100 Posted Speed Limits. It shall be unlawful to exceed the posted speed limit in the City of Denver.

#### Chapter 10.44 STOPS

##### Sections:

- 10.44.010 Arterial Designations
- 10.44.020 Stop/Yield Signs – Authorized
- 10.44.030 Stop Signs – Location
- 10.44.040 Complete Stop Required
- 10.44.050 Yield Sign – Location
- 10.44.055 Yield Sign Required
- 10.44.060 Violation –a Misdemeanor

10.44.010 Arterial Designation. Fayette Street is designated as an arterial thoroughfare. (§1 of Ord. passed March 5, 1962)

10.44.020 Stop/Yield Signs – Authorized. Stop/Yield Signs are authorized and shall be erected and maintained at the intersections on the following streets:

1. All intersections from all streets entering State Street;
2. All intersections except State Street entering Fayette Street. (Ord. 4-67 §2, 1967)

10.44.030 Stop/ Yield Signs – Location: In order to promote the necessary safety needed for all people and vehicle; stop and yield signs are to be erected at each intersection as follows:

1. Fayette Street is designated an arterial thoroughfare.  
Fayette Street - Traffic entering from Mill, Holmes, Russell, Farrington, Powell, Transit, Schneider, Ridgeway, Longview, Sunny Lane, Willow Run, and Sunrise Streets.
  2. State Street is designated an arterial thoroughfare. State Street – Traffic entering from Fayette, Hoover, Eagle, Franklin, Main, Washington Streets, Forrest Ave, Commercial Street, Prestien Drive.
  3. Iowa Street – Traffic entering from Farrington and Powell Streets.
  4. Washington Street – Traffic entering from Mill, Holmes, Russell, Farrington.
  5. Main St. – Traffic entering from Mill, Holmes, Russell, Farrington.
  6. Eagle St. – Traffic entering from Mill, Russell, Farrington, Powell, and Transit Streets.
  7. Lincoln St. – Traffic entering from Mill, Russell, Fairview, Schneider, Ridgeway, Longview, and Sunny Lane Streets.
  8. Prestien Dr. – Traffic entering from Mill, Russell, Fairview, (Schneider, Longview, Willow Run Streets these are all new streets added to Prestien Dr.)
  9. Powell St. – Traffic entering from Washington, Main, and Franklin Streets.
  10. On the right side of Russell Street sproaching Donna Street from the north.
  11. On the right side of Donna Street approaching Schneider Street from the west.
  12. On the right side of Donna Street approaching Longview Street from the east.
  13. On the right side of Donna Street approaching Sunrise Street from the west.
  14. On the right side of Prestien Drive approaching Sunrise Street from the west.
  15. On the right side of Longview Street approaching Prestien Drive from the south.
  16. On the right side on Longview Street approaching Prestien Drive from the north.
  17. On the right side of Grant Street approaching Sunrise Street from the west.
  18. On the right side of Sunrise Street approaching Grant Street from the south.
  19. On the right side of Sunrise Street approaching Grant Street from the north.
  20. On the right side of Franklin Street approaching Transit Street from the east.
  21. On the right side of Franklin Street approaching Transit Street from the west.
- (Ord. 7-2003, Ord. 1-2004)

10.44.040 Complete Stop Required: It is unlawful to move any vehicle through any of the above designed intersection without first coming to a complete stop after which the vehicle may proceed across the intersection. On the right side of Mill Street approaching Fayette Street from the south. On the right side of Mill Street approaching Fayette Street from the North. On the right side of Holmes Street approaching Fayette Street from the south. On the right side of Holmes Street approaching Fayette Street from the north.  
On the right side of Russell Street approaching Fayette Street from the south. On the right side of Russell Street approaching Fayette Street-from the north.  
On the right side of Farrington Street approaching Fayette Street from the south. On the right side of Farrington Street approaching Fayette Street from the north.  
On the right side of Powell Street approaching Fayette Street from the south. On the right side of Powell Street approaching Fayette Street from the north.  
On the right side of Fayette Street approaching Powell Street from the east- On the right side of Fayette Street approaching Powell Street from the west. (§2 of Ord. passed March 5, 1962)

10.44.050 Yield Signs – Location.

1. Iowa St. - Traffic entering from Holmes St. and Russell St.
2. Franklin St. – Traffic entering from Transit, Russell, and Farrington Streets
3. Mill St – Traffic entering from Hoover St.
4. Hoover St – Traffic entering from Transit St
5. Donna St – Traffic entering from Mill, Russell, Fairview, and Schneider Streets
6. Longview St – Traffic entering from Grant St
7. Grant st – Traffic entering from Willow Run and Sunrise Streets (Ord. 4-67 §1, 1967)

10.44.055 Yield to Other Vehicles. The driver of any vehicle shall stop in obedience to a stop sign, as required herein, at an intersection where a stop sign is erected at on or more entrances thereto, although not a part of a vehicles not so obliged to stop.

10.44.060: Violation a Misdemeanor. Any person who violates the provisions of this chapter is deemed guilty of a simple misdemeanor. (Ord. 4-67 §3, 1967)

#### Chapter 10.46

#### TRAFFIC CONTROL DEVICES

##### Sections:

- 10.46.010 Established -- Where
- 10.46.050 Violation – Penalty
- 10.46.256 Obedience to Official Traffic Control Devices
- 10.46.257 Official Traffic Control Signal

10.46.010 Established—Where. There is established an official traffic control device at the intersection of State and Fayette Street within the City of Denver, Iowa. (Ord. 2-80 §1, 1980)

10.46.050 Violation—Penalty. Any person found guilty of this chapter shall be guilty of a misdemeanor and be subject to a fine accordance with state fines for similar violations or unless otherwise stated. (Ord. 2-80 §5, 1980)

10.46.256 Obedience to Official Traffic Control Devices. No driver of a vehicle shall disobey the instruction of any official traffic control device placed at any intersection by the state of Iowa or City of Denver, IA, unless at the time directed otherwise by a police officer subject to the exceptions granted the driver of any authorized emergency vehicle. (Ord. 2-93 §1, 1993; Ord. 2-80 §2, 1980)

10.46.257 Official Traffic Control Signal. 1. Stop at the official traffic control signal defined. For the purposes of this section, “stop at the official traffic control signal” means stopping at the first opportunity at either the clearly marked stop line or before entering the crosswalk or before entering the intersection (Ord. 2-80 §3, 1980)

2. Traffic control signals defined. Official traffic control signals consisting of colored lights or colored-lighted arrows shall regulate vehicle and pedestrian traffic in the following manner:

- a. A "steady circular red" light means vehicular traffic shall stop. Vehicular traffic shall remain standing until a signal to proceed is shown or vehicular traffic, unless prohibited by a sign, may cautiously enter the intersection to make a right turn from the right lane of traffic or a left turn

from a one-way street to a one-way street from the left lane of traffic on a one-way street onto the left most lane of traffic on a one-way street. Turns made under this subsection shall be made in a manner that does not interfere with other vehicular or pedestrian traffic lawfully using the intersection. Pedestrian traffic facing a steady circular red light shall not enter the roadway unless the pedestrian can safely cross the roadway without interfering with any vehicular traffic.

b. A "steady circular yellow" or "steady yellow arrow" light means vehicular traffic is warned that the related green movement is being terminated and vehicular traffic shall no longer proceed into the intersection and shall stop. If the stop cannot be made in safety, a vehicle may be driven cautiously through the intersection. Pedestrian traffic is warned that there is insufficient time to cross the intersection and any pedestrian starting to cross the roadway shall yield the right-of-way to all vehicles.

c. A "steady circular green" light means vehicular traffic may proceed straight, turn right or turn left through the intersection unless otherwise specifically prohibited. Vehicular traffic shall yield the right-of-way to other vehicular and pedestrian traffic lawfully within the intersection.

d. A "steady green arrow" light shown alone or with another official traffic control signal means vehicular traffic may cautiously enter the intersection and proceed in the direction indicated by the arrow. Vehicular traffic shall yield the right-of-way to other vehicles and pedestrians lawfully within the intersection.

e. A "flashing circular red" light means vehicular traffic shall stop and after stopping may proceed cautiously through the intersection yielding to all vehicles not required to stop or yield which are within the intersection or approaching so closely as to constitute a hazard, but then may proceed.

f. A "flashing yellow" light means vehicular traffic shall proceed through the intersection or past such signal with caution. (Ord. 2-80 §4, 1980)

#### Chapter 10.48

#### SCHOOL ZONES

##### Sections:

10.48.010 Zones Established

10.48.020 Signs Placed

10.48.030 When Placed

10.48.040 Vehicles to Stop

10.48.050 Emergency

10.48.010 Zones Established. The following parts of streets are hereby established as school zones: Franklin, Eagle, and Fayette Streets between Russell and Farrington Streets. Russell and Farrington Streets between Franklin and Fayette Streets. (Ord. 7-68 §1, 1968)

10.48.020 Signs Placed. The Mayor shall cause to be placed in the streets, conspicuously at the places designated, movable stop signs, bearing the words, "Stop, School Zones" of sufficient size to be easily readable at a distance of one hundred feet by a person using the street. (Ord. 7-68 §2, 1968)

10.48.030 When Placed. Movable stop signs shall be placed in the streets, at the places designated, one-half hour before school opens in the morning, five minutes before school is dismissed at noon until five minutes after school opens in the afternoon and five minutes before school is dismissed in the afternoon. The movable stop signs shall be left standing in the streets for five minutes after school opens in the morning and afternoon and for fifteen minutes after school is dismissed in the afternoon. (Ord. 7-68 §3, 1968)

10.48.040 Vehicles to Stop. All motor vehicles approaching these zones, when movable stop signs have been placed in the streets at the limits of the zones, shall come to a stop. (Ord. 7-68 §4, 1968)

10.48.050 Emergency. The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a stop sign shall slow down as necessary for safety but may proceed cautiously past stop sign. At other times drivers of authorized emergency vehicles shall stop in obedience to a stop sign. (Ord. 7-68 §5, 1968)

#### Chapter 10.50 SNOWMOBILES

##### Sections:

10.50.010 Operation Restrictions

10.50.020 Area Permitted for Operation

10.50.030 Purpose of Permitted Area

10.50.040 Hours of Operation

10.50.060 Applicable Traffic Codes

10.50.070 Suspension of Operation in Permitted Areas

10.50.080 Penalty for Operation outside Permitted Areas

10.50.010 Operation Restrictions. Unless hereinafter provided, it is unlawful for any person to operate a snowmobile upon any street, avenue, alley or public place within the corporate limits of the City. (Ord. 1-74 §1, 1974; Ord. 2-71 S1, 1971)

10.50.020 Area Permitted for Operation. The City Council shall by resolution designate areas within corporate limits of the City of Denver for the operation of snowmobiles. (Ord. 4-98, 1-74 §2, 1974)

10.50.030 Purpose of Permitted Area. The operation of snowmobiles in the designated areas, defined by resolution, shall be permitted only for the purpose of providing a route whereby persons operating snowmobiles may safely exit and enter the corporate limits of the City. (Ord. 4-98)

10.50.040 Hours of Operation. In areas where permitted, the operation of snowmobiles shall be permitted only between the hours of nine a.m. and 10:00 p.m. (Ord. 4-98)

10.50.060 Applicable Traffic Codes. Anyone operating a snowmobile within the permitted areas shall be subject to all City Ordinances and State Laws governing the control of traffic and/or snowmobiles. (Ord. 4-98)

10.50.070 Suspension of Operation in Permitted Areas. The Chief of Police may, when operation of snowmobiles is deemed unsafe or unsuitable, suspend all operation of snowmobiles in the permitted area until such time that operation is deemed safe or suitable. (Ord. 4-98)

10.50.080 Penalty for Operation outside Permitted Areas. Anyone operating a snowmobile outside or permitted area shall be guilty of a misdemeanor. (Ord. 4-98)

#### Chapter 10.51 GOLF CARTS

##### Sections:

##### 10.51.247 Golf Cart Operation on City Streets

10.51.247 Golf Cart Operation on City Streets. Incorporated areas may, upon approval of their governing body, allow the operation of golf carts on City streets by persons possessing a valid motor vehicle license. However, a golf cart shall not be operated upon a City street, which is a primary road extension through the City but shall be allowed to cross a City street, which is a primary road extension through the City. The golf carts shall be equipped with a slow moving vehicle sign and a bicycle safety flag and operate on the streets only from sunrise to sunset. Golf carts operated on City streets shall be equipped with adequate brakes and shall meet any other safety requirements imposed by the governing body. Golf carts are not subject to the registration provisions of this chapter.

#### Chapter 10.52 VEHICLE EQUIPMENT

##### Sections:

10.52.020 Horns – Use Restrictions

10.52.030 Violation of a Misdemeanor

10.52.384 Failure to Use Headlights When Required

10.52.385 Insufficient Number of Headlights

10.52.386 Insufficient Number of Headlights—Motorcycles and Motorized Bicycles

10.52.387 Improper Rear Light(s)

10.52.388 Improper Registration Plate Light

10.52.397 Improper Light on Bicycle

10.52.404 Improper Brake Light

10.52.422 Lights of Improper Color—Front or Rear

10.52.436 Muffler Required

10.52.438 Windshield/Window Requirement/Dark Windows

10.52.445 Failure to Use Seatbelts Driver

10.52.446 Failure to Secure Child

## 10.52.700 Violation -- Penalty

10.52.020 Horns – Use Requirements. Loud signaling devices shall not be used during the period from one hour after sunset to one hour before sunrise, unless absolutely necessary to avoid accidents. (Ord. 5-67 52, 1967)

10.52.030 Violation of a Misdemeanor. Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor. (Ord. 5-67 53, 1967)

10.52.384 Failure to Use Headlights When Required. Every vehicle upon a City street or highway within the City limits. At any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the roadway at a distance of five (500) hundred feet ahead. Shall display lighted headlights as provided in section 10.52.47, subject to exceptions with respect to parked vehicles as hereinafter stated.

10.52.385 Insufficient Number of Head Lights. Every vehicle operated within City limits other than a motorcycle or motorized bicycle shall be equipped with at least two head lights with at least one on each side of the front of the vehicle, which head lights be of white in color.

10.52.386 Insufficient Number of Head Lights – Motorcycles and Motorized Bicycles. Every motorcycle and motorized bicycle operated within City limits shall be equipped with at least one and more than two head lights which shall with the requirements and limitations of this chapter.

10.52.387 Improper Rear Lights. Every vehicle within City limits shall be equipped with a lighted rear light(s) exhibiting a red light plainly visible from a distance of five (500) hundred feet to the rear. All lights and lighting equipment originally manufactured on a vehicle shall be kept in working order or shall be replaced with equivalent equipment.

10.52.388 Improper Registration Plate Light. For any vehicle operated within City limits, either the rear light or a separate light shall be so constructed and placed as to cast white light on the rear registration plate and render it clearly visible from a distance of fifty (50) feet to the rear. When the rear registration plate is lighted by an electric light other than the required rear lamp, the two lights shall be turned on or off only by the same control switch at all times when head lights are on.

10.52.397 Improper Light on Bicycle. Every bicycle operated within City limits shall be equipped with a light on the front exhibiting a white light, at the times specified in section 10.52.30, visible from a distance of three hundred feet to the front and with a light on the rear exhibiting a red light visible from a distance of three hundred feet to the rear. Except that a red reflector may be used in place of a rear light. A peace officer bicycle is not required to use either front or rear lights if duty so requires.

10.52.404 Improper Brake Light. Every vehicle operated within City limits shall be equipped with a signal lamp or signal device which is so constructed and located on the vehicle as to give a signal of intention to stop, which shall be red or yellow in color. Which signal all are plainly

visible and understandable in normal sunlight and at night from a distance of one hundred feet to the rear, but shall not project a glaring or dazzling light.

10.52.422 Lights of Improper Color Front or Rear. No person shall drive or move any vehicle or equipment upon any street within City limits with any lamp or device thereon displaying or reflecting a red light visible from directly in front of a vehicle. This section shall not apply to authorized emergency vehicles, or school buses. No person shall display any color of light other than red on the rear of any vehicle. Except that stoplights and directional signals may be red, yellow, or amber.

10.52.436 Muffler Required. Every Vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, by-pass, or similar device upon a vehicle on the streets of this City. (Ord. 5-67 §1, 1967)

10.52.438 Windshield/ Window Requirement/Dark Windows. 1. A person shall not drive a vehicle equipped with a windshield, side-wings, or side or rear windows, which do not permit, clear vision.

2. A person shall not operate on the roadway a vehicle equipped with a front windshield, a side window to the immediate right or left of the driver, or a side-wing forward of and to the left or right of the driver which is excessively dark or reflective so that it is difficult to see into the vehicle through the windshield, window, or sidewing. The Iowa Department of Transportation shall adopt rules establishing a minimum measurable standard of transparency which shall apply to violations of this subsection.

3. Every motor vehicle operated within City limits, except a motorcycle or moto bicycle, or a vehicle included within the provisions of Iowa Code Sections 321.383 or 321.115, shall be equipped with a windshield in accordance with Iowa Code Secion 321.444.

10.52.445 Failure to Use Seatbelts Driver. 1. Except for motorcycles or motorized bicycles, 1966 model year or newer motor vehicles subject to registration in Iowa shall be equipped with safety belts and safety harnesses which conform with federal motor vehicle safety standard numbers 209 and 210 as published in 49 C.F.R. §571.209-571.210 and with prior federal motor vehicle safety standards for seat belt assemblies and seat belt assembly anchorages applicable for the motor vehicle's model year.

2. The driver and front seat occupants of a type of motor vehicle which is subject ot registration in Iowa, except a motorcycle or a motorzied bicycle, shall each wear a properly adjsuted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in forward motion on a street or highway within City limits except that a child under six years of age shall be secured as required under section 10.52.446. This subsection does not apply to:

a. The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safeety harnesses.

b. The driver and front seat occupants of a motor vehicle who are actively engaged in work which required them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five miles per hour between stops.

c. The driver of a motor vehicle while performing duties as a rural letter carrier for the United State postal service. This exemption applies only between the first delivery point after leaving the post office and the last delivery point before returning to the post office.

d. Passengers on a bus.

e. A person possessing written certification from a health care provider licensed under chapter 148, 150, 150A, or 151 of the Iowa Code on a form provided by the department that the person is unable to wear a safety belt or safety harness due to physical or medical reasons. The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve months, at which time a new certification may be issued unless the certifying health care provider is from a United State military facility, in which case the certificate may specify a longer period of time or a permanent exemption.

f. Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However, this exemption does not apply to the driver of the authorized emergency vehicle. The department, in cooperation with the department of public safety and the department of education, shall establish educational programs to foster compliance with the safety belt and safety harness usage requirements of this subsection.

3. The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under subsection 2. The owner of the motor vehicle may be charged for equipment violations under subsection 1.

4. a. the nonuse of a safety belt or safety harness by a person is not admissible or material as evidence in a civil action brought for damages in a cause of action arising prior to July 1, 1986.

b. In a cause of action arising on or after July 1, 1986, brought to recover damages arising out of the ownership or operation of a motor vehicle, the failure to wear a safety belt or safety harness in violation of this section shall not be considered evidence of comparative fault under section 668.3, subsection 1. However, except as provided in section 10.52.446 subsection 6, the failure to wear a safety belt or safety harness in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

1. Parties seeking to introduce evidence of the failure to wear a safety belt or safety harness in violation of this section must first introduce substantial evidence that the failure to wear a safety belt or safety harness contributed to the injury or injuries claimed by the plaintiff.

2. If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt or safety harness in violation of this section contributed to the plaintiff's claimed injury or injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed five percent of the damages awarded after any reductions for comparative fault.

3. The department shall adopt rules pursuant to chapter 17A providing exceptions from application of subsections 1 and 2 for front seat passengers of motor vehicles owned, leased, rented, or primarily used by persons with physical disabilities who use collapsible wheelchairs.

10.52 446 Failure to Secure Child. 1. A child under three years of age who is being transported in a motor vehicle subject to registration under Iowa Code Section 321.109, within City limits, except a school bus or motorcycle shall be secured during transit by a child restraint system which meets federal motor vehicle safety standards, and the system shall be used in accordance with the manufacturer's instructions.

2. a child at least three years of age but under six years of age who is being transported in a motor vehicle subject to registration, under Iowa Code Section 321.109, within City limits, except a school bus or motorcycle, shall be secured during transit by either a child restraint

system that meets federal motor vehicle safety standards and is used in accordance with the manufacturer's instructions, or by a safety belt harness of a type approved under section 10.52.445.

3. This section does not apply to peace officers acting on official duty. This section also does not apply to the transportation of children in 1965 model year or older vehicles, authorized emergency vehicles, buses, or motor homes, except when a child is transported in a motor home's passenger seat situated directly to the driver's right. This section does not apply to the transportation of a child who has been certified by a physician licensed under chapter 148, 150, or 150A of the Iowa Code as having a medical, physical, or mental condition that prevents or makes inadvisable securing the child in a child restraint system, safety belt, or safety harness.

4. The operator who violated subsection 1 or 2 is guilty of a misdemeanor punishable as a scheduled violation under Iowa Code section 805.8A, subsection 14, paragraph "c".

5. A person who is first charged for a violation of subsection 1 and who has not purchased or otherwise acquired a child restraint system shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a child restraint system which meets federal motor vehicle safety standards.

10.52.700 Violation – Penalty. Any person who violates this chapter is guilty of a simple misdemeanor and is subject to a scheduled fine, plus surcharge and court costs will be in accordance with the State of Iowa.

#### Chapter 10.53

#### VEHICLE WEIGHT LIMITATIONS

##### Sections:

10.53.005 Authority to Restrict Weight Limits

10.53.010 Designated

10.53.020 Exemption

10.53.030 Violation--Penalty

10.53.005 Authority to Restrict Weight Limits. a. The City Council, shall by resolution, have authority to embargo streets and alleys within the City limits pursuant to Chapter 321.473 of the Iowa Code.

b. Upon passage of such resolution, a sign shall be erected giving notice of the weight limitations on such streets and no person, firm or corporation shall operate any vehicle with a gross weight limit in excess of the amount specified on such signs at any time.

c. Any person, firm or corporation who violates the provisions of the ordinance or resolution, shall upon conviction or a plea of guilty be subject to a fine as determined by 321.473 of the 1987 Code of Iowa, as amended. (Ord. 3-87 551--3, 1987)

10.53.010 Designated. No person, firm or corporation shall park a truck or vehicle with licensed weight in excess of six tons on any street in the City of Denver, Iowa, except such truck or vehicle may be operated on highway 63 while traversing through the City of Denver, Iowa, or may be parked parallel to said highway for periods not to exceed two hours in length. (Ord. 2-84 §1, 1984)

10.53.020 Exemption. This chapter shall not apply to delivery vehicles going to or from terminal delivery points or trucks necessary to the construction of homes or projects which homes or projects are immediately adjacent to such prohibited streets. (Ord. 7-81 §2, 1981)

10.53.030 Violation--Penalty. Any person, firm or corporation violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction, shall be fined not more than one hundred dollars or thirty days in jail. (Ord. 7-81 §3, 1981)

Chapter 10.54  
BICYCLES

Sections:

10.54.070 Operation on Sidewalks

10.54.080 Pedestrians' Right-of-Way

10.54.090 Riding in Single File and Near the Right Curb

10.54.100 Observance of Traffic Rules Required

10.54.110 Erratic Operation Prohibited

10.54.120 Violation--Penalty

10.54.070 Operation on Sidewalks. Bicycles shall be operated on sidewalks in a residential district but not in a business district. (Ord. 2-74 §7, 1974)

10.54.080 Pedestrians Right-of-Way. Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating bicycles upon any sidewalks not herein prohibited. Any person using or operating a bicycle upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians. (Ord. 2-74 §8, 1974)

10.54.090 Riding in Single File and Near the Right Curb. Bicycles shall be ridden single file in business districts and upon sidewalks in residential districts but may be ridden not over two abreast elsewhere. Said bicycles shall be operated as near the right curb as possible at all times. (Ord. 2-74 §9, 1974)

10.54.100 Observance of Traffic Rules Required. All persons using or operating bicycles upon any street or sidewalk within the City shall observe all traffic rules as to traffic lights and highway stop signs and shall signal any change of direction or course of travel in the same manner as such signals are required under the law governing the use of motor vehicles upon said streets and highways and shall not turn left in traffic except at regular intersections of streets or alleys and shall not weave in and out of traffic. (Ord. 2-74 §10, 1974)

10.54.110 Erratic Operation Prohibited. It is unlawful for any person riding a bicycle within the corporate limits of the City to ride in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise riding with disregard. Either for the operator's safety or the safety of others. (Ord. 2-74 §11, 1974)

10.54.120 Violation--Penalty. Any person violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days. (Ord. 2-74 §12, 1974)

Chapter 10.56  
PENALTIES

Sections:

10.56.010 Penalty for Violation or Noncompliance.

10.56.010 Penalty for Violation or Noncompliance. Except as otherwise specifically provided, any person who violates, or fails to comply with any provisions of this title, or any regulation, or order of the Police Chief adopted or issued in pursuance hereof, shall, upon conviction be subject to a fine and imprisoned as provided in Section 1.08.010. (Ord. 17-68 §44, 1969)