

## **CHAPTER VII.**

### **TRAFFIC REGULATIONS**

#### **ARTICLE I. DEFINITIONS**

Section 7-101 Application of Definitions

#### **ARTICLE II. EFFECT AND SHORT TITLE**

Section 7-201 Uniformity of Interpretation

7-202 Short Title

#### **ARTICLE III. QUALIFICATIONS AND RESTRICTIONS OF DRIVERS**

Section 7-301 Control of Vehicle: Careful Driving

7-302 Driver's License, Required

7-303 Driving While License Suspended or Revoked

7-304 License to be Carried and Exhibited on Demand

7-305 Restricted Licenses

7-306 Permitting Unauthorized Minor to Drive

7-307 Permitting Unauthorized Person to Drive

7-308 Renting Motor Vehicles: License of Renter

7-309 Renting Motor Vehicle: License Inspection

7-310 Unlawful to Have Opened Receptacle Containing  
Beer, Alcohol, or Alcoholic  
Beverages in Motor Vehicle

7-311 Persons Under the Influence of Intoxicating  
Liquor or Controlled Substances not to  
Operate Motor Vehicles

7-312 Application to Prosecutions Under Municipal  
Ordinances

7-313 Reckless Driving: Penalty

7-314 Careless Driving

7-315 Racing and Exhibition Driving on Streets,  
Alleys, and Public Ways Prohibited

#### **ARTICLE IV. ACCIDENTS**

Section 7-401 Accidents Involving Death or Personal Injuries

7-402 Accident Involving Damage to Vehicle

7-403 Duty to Give Information and Render Aid

7-404 Duty Upon Striking Unattended Vehicle

7-405 Duty Upon Striking Fixtures Upon a Street,  
Avenue, Alley, or Public Ground

7-406 Immediate Notice and Written Report of Accident

7-407 Officer to Report

7-408 When Driver is Unable to Report

7-409 False Reports

7-410 Judge to Report Convictions to Highway  
Commissioner

7-411 Garages to Report

## **ARTICLE V. GENERAL RULES OF THE ROAD**

- Section 7-501 Obedience to Police Officers, and Fire Department Officer
- 7-502 Obedience to and Required Traffic- Control Devices
- 7-503 Drive on Right Side of Roadway: Exceptions
- 7-504 Passing Vehicles Proceeding in Opposite Directions
- 7-505 Overtaking a Vehicle on the Left
- 7-506 Limitations on Overtaking on the Left
- 7-507 Further Limitation on Driving to Left of Center of Roadway
- 7-508 Driving on Roadways Laned For Traffic
- 7-509 Following Too Closely
- 7-510 Vehicle Approaching or Entering Intersection
- 7-511 Vehicle Approaching a Yield Right-of-Way Sign
- 7-512 Vehicle Turning Left at Intersection
- 7-513 Required Position and Method of Turning at Intersections
- 7-514 Vehicle Entering Through Street, Avenue or Stop Intersections
- 7-515 Turning Movements and Required Signals
- 7-516 Signals by Hand and Arm or Signal Device
- 7-517 Method of Giving Hand and Arm Signals
- 7-518 Obstruction to Driver's View or Driving Mechanism
- 7-519 Garbage, Glass, Etc., Upon Avenues Alleys, or Public Grounds Prohibited
- 7-520 Driving Through Safety Zone Prohibited
- 7-521 Towing Sleds and Carts
- 7-522 Turning Signals
- 7-523 Truck Parking Only
- 7-524 School Zone Designation, Driving with Care

## **ARTICLE VI. PEDESTRIANS**

- Section 7-601 Pedestrians Subject to Traffic Regulations
- 7-602 Pedestrians' Right-of-Way in Crosswalks
- 7-603 Crossing at Other Than Crosswalks
- 7-604 Crossing at Other Than Crosswalks: Prohibited
- 7-605 Drivers to Exercise Due Care
- 7-606 Protection of Blind or Incapacitated Pedestrians
- 7-607 Pedestrians to Use Right Half of Crosswalks
- 7-608 Pedestrians on Roadways
- 7-609 Pedestrians Soliciting Rides or Business
- 7-610 Playing on Streets Prohibited

## **ARTICLE VII. POLICE AND FIRE VEHICLES AND AMBULANCES**

- Section 7-701 Authorized Emergency Vehicles
- 7-702 Operation of Vehicles on Approach of Authorized Emergency Vehicles
- 7-703 Following Fire Apparatus Prohibited
- 7-704 Crossing Fire Hose

**ARTICLE VIII. TAMPERING WITH, INJURING, OR TAKING VEHICLES**

- Section 7-801 Driving Vehicle without Owner s Consent
- 7-802 Taking from Warehouse or Garage
- 7-803 Tampering with a Vehicle
- 7-804 Injuring the Vehicle
- 7-805 Throwing Snowballs, Rocks, or Other Missiles
- 7-806 Clinging to Vehicles

**ARTICLE IX. STOPPED, STANDING OR PARKED VEHICLES**

- Section 7-901 Starting Parked Vehicles
- 7-902 Obedience to Signal Indicating Approach of Train
- 7-903 Certain Vehicles Must Stop at all Railroad Grade Crossings
- 7-904 Vehicles Must Stop at Stop Signs
- 7-905 Emerging from Alley, Driveway, or Building
- 7-906 Overtaking and Passing School Bus
- 7-907 Stopping, Standing, or Parking Within Business or Residence Districts
- 7-908 Officers or Street Commissioner Authorized to Remove Illegally Stopped or Parked Vehicle
- 7-909 Stopping, Standing, or Parking Prohibited in Specified Places
- 7-910 Additional Parking Regulation
- 7-911 Unattended Motor Vehicles
- 7-912 Limitations on Backing
- 7-913 Manner of Parking
- 7-914 One Hundred Twenty Minute Parking Zones

**ARTICLE X. BICYCLES**

- Section 7-1001 Effect of Regulations
- 7-1002 License Application
- 7-1003 Issuance of License
- 7-1004 Attachment of License Plate
- 7-1005 Inspection of Bicycles
- 7-1006 Renewal of License
- 7-1007 Transfer of Ownership
- 7-1008 Rental Agencies
- 7-1009 Bicycle Dealers
- 7-1010 Traffic Laws Apply to Persons Riding Bicycles
- 7-1011 Obedience to Traffic Control Devices
- 7-1012 Riding on Bicycles
- 7-1013 Riding on Roadways and Bicycle Paths
- 7-1014 Speed
- 7-1015 Emerging From Alley or Driveway
- 7-1016 Carry Articles
- 7-1017 Parking
- 7-1018 Riding on Sidewalks
- 7-1019 Lamps and Other Equipment on Bicycles
- 7-1020 Bicycles May be Impounded if Operated in Violation of Ordinances: Impounded Fee
- 7-1021 Bicycle Accidents

## **ARTICLE XI. EQUIPMENT OF VEHICLES**

- Section 7-1101 Front and Rear Lamps to be Lighted on Vehicles at Certain Times
- 7-1102 Headlamps on Motor Vehicles
  - 7-1103 Headlamps: Construction, Arrangement, and Adjustment: Glaring and Dazzling Light Prohibited
  - 7-1104 Vehicles to be Equipped with Rear Lamps, Reflectors, or Reflecting Material
  - 7-1105 Clearance Lamps: Required When
  - 7-1106 Spot Lamps: Limitations on Number and Use
  - 7-1107 Auxiliary Driving Lamps Permissible: Requirements
  - 7-1108 Lights on Parked Vehicles
  - 7-1109 Red or Green Light Visible From in Front of Vehicle Prohibited: Exception
  - 7-1110 Tire Equipment: Regulation Governing
  - 7-1111 Permits Authorizing Tractors or Traction Engines With Movable Tracks to Operate on Streets, Avenues, Alleys, or Public Grounds
  - 7-1112 Brakes on Motor Vehicles and Motorcycles: Requirements
  - 7-1113 Riding of Motorcycles
  - 7-1114 Horns and Warning Devices: Regulations Governing
  - 7-1115 Warning Device of Police and Fire Department Vehicles
  - 7-1116 Mirrors
  - 7-1117 Signs and Posters on Windows of Vehicle Prohibited: Exception
  - 7-1118 Windshield Wipers Required
  - 7-1119 Mufflers Required: Muffler Cut-Out Prohibited
  - 7-1120 Vehicle to be Constructed to Prevent Sifting or Leaking Loads
  - 7-1121 Drawbar Connections Between Vehicle: Regulations and Precautions Required
  - 7-1122 Misdemeanor to violate Provisions Governing Equipment of Vehicles
  - 7-1123 Flashing Lights, Prohibition
  - 7-1124 Special lighting and Warning Equipment on School Buses

## **ARTICLE XII. RAILROAD CARS AND CROSSINGS**

- Section 7-1201 Railroads to Keep Flagman or Lights at Crossings: How Required
- 7-1202 City Auditor to Notify
  - 7-1203 Duty of Railroad Company, after Notice Delivered
  - 7-1204 Engines and Cars on Crossings; Length of Time Permissible
  - 7-1205 Speed Limit of Trains within City

**ARTICLE XIII. SPEED RESTRICTIONS**

- Section 7-1301 Restrictions as to Speed
- 7-1302 Speed Limit
- 7-1303 Exceeding Speed Limit
- 7-1304 Radar Evidence in Speed Violations

**ARTICLE XIV. PROCEDURE UPON ARREST**

- Section 7-1401 Arresting Person for Violating Traffic Regulations: Duty of Officer Arresting
- 7-1402 Hearing Upon Arrest: Time of: Promise of Defendant to Appear: Failure to Appear
- 7-1403 Offenses Under Which Person Arrested May Not be Entitled to Release Upon Promise to Appear
- 7-1404 Arrest of Non-Resident Traffic Violator
- 7-1405 Fines and Forfeiture, Deposit of
- 7-1406 Tagging Motor Vehicles
- 7-1407 Reports Kept By Police Magistrate
- 7-1408 When Copy of Citation Shall be Deemed a Lawful Complaint
- 7-1409 Failure to Comply with Traffic Citation Attached to Parked Vehicle
- 7-1410 Presumption in Reference to Illegal Parking
- 7-1411 When Warrant to be Issued

**ARTICLE XV. PENALTIES**

- Section 7-1501 Penalties for Violation of Chapter

**ARTICLE XVI. INCORPORATION OF STATE PROVISIONS**

- Section 7-1601 Provisions in Title 39
- 7-1602 Conflict
- 7-1603 Penalties
- 7-1604 Copy to be Filed
- 7-1605 Incorporation to Include Amendments
- 7-1606 Validity

**ARTICLE I.**

**DEFINITIONS**

**7-101. APPLICATION OF DEFINITIONS.** Words and phrases used in this Chapter shall for the purpose of this Chapter have the meanings and be defined as provided in the North Dakota Century Code in Title 39, in force on the date of adoption hereof, except as follows:

1. **ALLEY.** The term "alley" shall mean any public intersecting a city block or portion thereof.
2. **BUSINESS DISTRICT.** The term "business district" shall mean the territory contiguous to a street when fifty (50%) percent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business, and shall include all territory within the fire limits or the City of Lisbon, as defined by ordinance.
3. **RESIDENCE DISTRICT.** The term "residence district" shall mean all territory within the city limits not in the business district.

**ARTICLE II.**

**EFFECT AND SHORT TITLE**

**7-201. UNIFORMITY OF INTERPRETATION.** This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law with respect to traffic regulations in the City of Lisbon, and to conform to the Uniform Motor Vehicle Act regulating the operation of vehicles as enacted by the Legislative Assembly of the State of North Dakota, and all other state laws amendatory or supplementary thereto.

**7-202. SHORT TITLE.** This chapter may be cited as the uniform motor vehicle ordinance regulating the operation of vehicles.

**ARTICLE III.****QUALIFICATIONS AND RESTRICTIONS OF DRIVERS**

**7-301. CONTROL OF VEHICLE: CAREFUL DRIVING.** The driver or person in charge of a motor vehicle shall at all times have his car under control and all vehicles shall be driven in a careful manner and with due regard to the safety and convenience of persons and property.

1. The driving or operation of motor vehicles, including automobiles, motorcycles, taxicabs, trucks and delivery cars, within the city limits or Lisbon by any person under the age of sixteen (16) years is prohibited, unless waived by the City Council or unless the person is driving by authority of a restricted permit or license as defined in the North Dakota Century Code.
2. A parent or guardian who suffers or permits a minor, under the age of sixteen (16) years unless authorized to do so by paragraph 1 above, to drive or operate a motor vehicle within the city limits of Lisbon shall be responsible for any and all damages resulting from the negligent operation of the motor vehicle by any such minor and guilty of a misdemeanor, and shall be subject to the penalty provided by this chapter; the Chief of Police of the City of Lisbon shall strictly enforce this section.
3. Any owner or other persons having charge of, or having within his control or supervision, a motor vehicle, who knowingly suffers or permits such motor vehicle to be driven or operated within the City or Lisbon by a minor under the age of sixteen (16) years unless authorized to do so by paragraph 1 above, shall be responsible for any and all damages resulting from the negligent operation of the motor vehicle by any such minor and shall be guilty of a misdemeanor and shall be deemed to have violated the provisions of this article and shall upon conviction thereof be subject to the penalty provided by this chapter.

**7-303. DRIVING WHILE LICENSE SUSPENDED OR REVOKED.** It shall be unlawful for any person to drive a motor vehicle on any street, avenue, alley, or public ground in the City of Lisbon at a time his privilege so to do is suspended or revoked.

**7-304. LICENSE TO BE CARRIED AND EXHIBITED ON DEMAND.** Every licensee shall have his operator's license or permit in his immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of any court, municipal judge, a patrolman, peace officer, or a field deputy or inspector of the highway department. However, no person charged with violating this section shall be convicted if he produces in court or the office of the arresting officer an operator's license or permit heretofore issued to him and valid at the time of his arrest.

**7-305. RESTRICTED LICENSES.** No person shall operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to him.

**7-306. PERMITTING UNAUTHORIZED MINOR TO DRIVE.** No person shall cause or knowingly permit his child or ward under the age of sixteen (16) years to drive a motor vehicle upon any street, avenue, alley or public ground, in the City of Lisbon, North Dakota, unless such minor has a valid driver's license or permit.

**7-307. PERMITTING UNAUTHORIZED PERSON TO DRIVE.** No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street, avenue, alley, or public ground in the City of Lisbon, North Dakota by any person who does not have a valid driver's license.

**7-308. RENTING MOTOR VEHICLES: LICENSE OR RENTER.** No person shall rent a motor vehicle to any other person unless the latter person is then duly licensed or, in the case of a non-resident, then duly licensed under the laws of the state or country of his residence except a non-resident whose home state or country does not require that an operator be licensed, or unless the renter certifies that the vehicle shall be driven by a duly licensed driver.

**7-309. RENTING MOTOR VEHICLE: LICENSE INSPECTION.** No person shall rent a motor vehicle to another until he has inspected the operator's or chauffeur's license of the person whom the vehicle is to be rented, or of the person by whom the vehicle shall be driven, and compared and verified the signature thereon with the signature of such person written in his presence.

**7-310. UNLAWFUL TO HAVE OPENED RECEPTACLE CONTAINING BEER, ALCOHOL, OR ALCOHOLIC BEVERAGES IN MOTOR VEHICLE.** No person shall drink or consume alcoholic beverages, as defined in the North Dakota Century Code, on any public street, sidewalk or alley in or on any motor vehicle when such vehicle is upon a public highway or in an area used principally for public parking. No person shall have in his possession on his person while in or on a private motor vehicle upon a public highway or in an area used principally for public parking, any bottle or receptacle containing such alcoholic beverages which has been opened, or the seal broken or the contents of which have been partially removed. It shall be unlawful for the owner of any private motor vehicle or the driver, if the owner be not then present in or on the motor vehicle to keep or allow to be kept in a motor vehicle when such vehicle is upon the public highway or in an area used principally for public parking any bottle or receptacle containing such alcoholic beverages which has been opened, or the



seal broken, or the contents or which have been partially removed except when such bottle or receptacle shall be kept in the trunk of the motor vehicle when such vehicle is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver or passengers.

The finding of such bottle or receptacle in any automobile, bus or truck on which the seal has been broken or the cap or cork removed shall be and the same is hereby declared to be prima facie evidence that such bottle or receptacle was opened in such automobile, truck or bus by the occupant or occupants thereof.

**7-311. PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR CONTROLLED SUBSTANCES NOT TO OPERATE MOTOR VEHICLES.** The provisions of 39-08-01 of the North Dakota Century Code, as amended by Senate Bill 2373 of the Legislative Assembly of the State of North Dakota for the year 1983, is hereby adopted in full as Section 7-311 of the Lisbon Revised Ordinances of 1984.

**7-312. APPLICATION TO PROSECUTING UNDER MUNICIPAL ORDINANCES.** The provisions of Chapter 39-20 of the Century Code of North Dakota shall apply to prosecutions for the violation of Section 7-311 prohibiting the driving or control of a motor vehicle while under the influence of intoxicating liquor or controlled substances.

**7-313. RECKLESS DRIVING: PENALTY.** Any person shall be guilty of reckless driving if he drives a vehicle upon a street, avenue, alley, or public ground:

1. Carelessly and heedlessly in willful or wanton disregard of the rights or safety of others; or
2. Without due caution and circumspection or at a speed or in a manner to endanger or likely to endanger any person or the property of another.

Except as otherwise herein provided, any person violating the provisions of this section shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in the city jail for not more than thirty days, or by both such fine and imprisonment. Upon a second or subsequent offense, such person shall be punished by a fine of not less than one hundred dollars or by imprisonment in the city jail for not less than thirty days, or by both such fine and imprisonment. Any person, however, violating the provisions of this section, who by reason of reckless driving as herein defined, causes and inflicts injury upon the person of another, shall be guilty of aggravated reckless driving, and shall be punished by a fine of not less than one hundred dollars or by imprisonment in the city jail for not more than thirty days, or by both such fine and imprisonment at the discretion of the court.

**7-314. CARELESS DRIVING.** Any person who drives any vehicle upon a street or highway in a careless manner or without having said vehicle under proper control or without due regard for the safety and convenience of pedestrians or other vehicles shall be guilty of careless driving.

**7-315. RACING AND EXHIBITION DRIVING ON STREETS, ALLEYS, AND PUBLIC WAYS PROHIBITED.**

1. No person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, on any street, alley, or public way within the City of Lisbon, and no person shall in any manner participate in any such race, competition, contest, or exhibition.
2. The following definitions shall apply in the interpretation and enforcement of this ordinance:
  - a. "Drag Race" is defined as the operations of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or powers of acceleration of such vehicle or vehicles within a certain distance or time limit.
  - b. "Racing" is defined as the use of one or more vehicles in an attempt to outgain, outdistance, arrive at a given destination ahead of another vehicle or vehicles, willfully prevent another vehicle from passing, or to test the physical stamina or endurance of drivers over long distance driving routes
  - c. "Exhibition Driving" shall mean driving a vehicle in such a manner that it creates or causes unnecessary engine noise, tire squeal, skid or slide upon acceleration or stopping; or that causes the vehicle to unnecessarily turn abruptly or away.

**ARTICLE IV.****ACCIDENTS****7-401. ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES.**

1. The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 7-403. Every such stop shall be made without obstructing traffic more than is necessary.
2. Any person failing to stop or to comply with said requirements under such circumstances shall, upon conviction, be punished by imprisonment for not less than ten days nor more than thirty days or by fine of not less than fifty (\$50.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment.

**7-402. ACCIDENT INVOLVING DAMAGE TO VEHICLE.** The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 7-406 of this chapter. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars or imprisonment for not more than thirty days, or by both such fine and imprisonment.

**7-403. DUTY TO GIVE INFORMATION AND RENDER AID.** The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, 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 to the person struck, or the driver, or occupant of, or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

**7-404. DUTY UPON 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 such 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.

**7-405. DUTY UPON STRIKING FIXTURES UPON A STREET, AVENUE, ALLEY, OR PUBLIC GROUND.** The driver of any vehicle involved in an accident resulting only in damage to fixtures of other property legally upon or adjacent to a street, avenue, alley, or public ground shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of 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 shall make report of such accident when and as required in Section 7-406.

**7-406. IMMEDIATE NOTICE AND WRITTEN REPORT OF ACCIDENT.** The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of four hundred dollars or more shall immediately give notice of such accident to the local police department if such accident occurs within the City of Lisbon. Within ten days after such accident, the driver shall also forward a written report of the accident to the highway commissioner.

**7-407. OFFICER TO REPORT.** Every law enforcement officer, who in the regular course of duty investigates a motor vehicle accident either at the time and at the scene of the accident or thereafter by interviewing the participants, or witnesses, shall forward promptly a written report of such accident to the highway commissioner.

- 7-408. WHEN DRIVER IS UNABLE TO REPORT.**
1. An accident notice is not required under the Chapter from any person who is physically incapable of making the report during the period of the incapacity.
  2. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 7-406 of this Chapter and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.
  3. Whenever the driver is physically incapable of making a written report of an accident as required in Section 7-406 and such driver is not the owner of the vehicle, then the owner of the vehicle involved shall within five days after learning of the accident make such report not made by the driver.

**7-409. FALSE REPORTS.** Any person who gives information reports as required in Section 7-406 of this Chapter knowing or having reason to believe that such information is false shall be fined not more than five hundred dollars, or imprisoned for not more than thirty days, or both.

**7-410. JUDGE TO REPORT CONVICTIONS TO HIGHWAY COMMISSIONER.** The Municipal Judge shall make a full and complete report to the commissioner within ten days after any person has been convicted of reckless driving on a street, avenue, or public ground in the City of Lisbon, North Dakota, or driving or being in actual physical control of a motor vehicle upon a public street, avenue, alley, or public ground in the City of Lisbon, North Dakota while under the influence of intoxicating liquor or narcotic drug, of failure to stop in event of an accident involving injury or death to any person or of driving a motor vehicle while the person's license is under suspension or revocation.

**7-411. GARAGES TO REPORT.** 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 reportable accident as provided in Section 7-406 of this Article or of being struck by any bullet, shall report or cause a report to be made to a police officer within twenty-four hours after such motor vehicle is received, and before any repairs are made to such vehicle, giving the registration number, and the name and address of the owner, operator, or person in control of such vehicle with a description of the location and the type of damage to the vehicle, or any missing parts, if the vehicle does not have a sticker on a window thereof issued by a police officer, sheriff or highway patrolman, bearing information to show that the accident in which the vehicle was involved has been investigated. The police officer investigating any reportable accident shall attach a sticker to the window of any damaged vehicle showing that the accident in which such vehicle was involved has been investigated. If the vehicle does bear such a sticker the garage or repair shop need not make the report in this section required and may begin repairs immediately. After repairs have been made and before the vehicle is released, the sticker provided herein shall be removed.

## **ARTICLE V.**

### **GENERAL RULES OR THE ROAD**

**7-501. OBEDIENCE TO POLICE OFFICERS, AND FIRE DEPARTMENT OFFICER.** No person shall willfully fail or refuse to comply with any lawful order or direction of any police or fire department officer invested by law with authority to direct, control, or regulate traffic.

**7-502. OBEDIENCE TO AND REQUIRED TRAFFIC-CONTROL DEVICES.**

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of the Chapter, unless otherwise directed by a traffic or police officer, subject to the exception granted the driver of an authorized emergency vehicle in this Chapter. No provision of this Chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

**7-503. DRIVE ON RIGHT SIDE OR ROADWAY: EXCEPTIONS.** Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

- a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- b. When the right half of a roadway is closed to traffic while under construction or repair;

**7-504. PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS.**

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

**7-505. OVERTAKING A VEHICLE ON THE LEFT.** The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction subject to those limitations, exceptions, and special rules hereinafter stated:

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

**7-506. LIMITATIONS ON OVERTAKING ON THE LEFT.** No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction of any vehicle overtaken. In every event the overtaking vehicle must return to the right hand side of the roadway before coming within one hundred feet of any vehicle approaching from the opposite direction.

**7-507. FURTHER LIMITATION ON DRIVING TO LEFT OF CENTER OF ROADWAY.**

1. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:
  - a. When approaching a curve in the street, avenue, alley, or public ground where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.
  - b. When approaching within one hundred feet of or traversing any intersection or railroad grade crossing;
  - c. When the view is obstructed upon approaching within one hundred feet of any bridge.

**7-508 DRIVING ON ROADWAYS LANED FOR TRAFFIC.** Whenever any roadway has been divided into two or more clearly marked lanes the following rules in addition to all others consistent shall apply:

1. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

**7-509 FOLLOWING TOO CLOSELY.**

1. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the street, avenue, alley, or public ground.

**7-510. VEHICLE APPROACHING OR ENTERING INTERSECTION.**

1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street or avenue.
2. When two vehicles enter an intersection from different streets or avenues 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.
3. The driver of any vehicle traveling at an unlawful speed shall forfeit any right-of-way which he otherwise might have under the provisions of this Chapter.

**7-511. VEHICLE APPROACHING A YIELD RIGHT-OF-WAY SIGN.** In addition to any requirement in law to yield right-of-way the driver of a vehicle approaching a "yield right-of-way" sign shall slow to a reasonable speed for existing conditions of traffic and visibility, or shall stop if necessary, yielding right-of-way to all vehicles on the intersecting street or avenue which have entered the intersection or are so close as to constitute an immediate hazard.

**7-512.. VEHICLE TURNING LEFT 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 said driver, having so yielded and having given a signal when and as required by this Chapter, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

**7-513. REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

1. Right Turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway;
2. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

**VEHICLE ENTERING THROUGH STREET, AVENUE OR STOP**

**7-514.  
INTERSECTION.**

1. The driver of a vehicle shall stop as required by Section 7-510 of this Article at the entrance to a through street or avenue and shall yield the right-of-way to other vehicles which have entered the intersection from said through street or avenue as to constitute an immediate hazard, but said driver having so yielded approaching the intersection on said through street or avenue shall yield the right of way to the vehicle so proceeding into or across the through street or avenue; and
2. The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through street or avenue and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.



**7-515. TURNING MOVEMENTS AND REQUIRED SIGNALS.**

1. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in Section 7-513 of this Article, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement;
2. A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning;
3. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

**7-516. SIGNALS BY HAND AND ARM OR SIGNAL DEVICE.**

1. Any stop or turn signal when required herein shall either by means of the hand and arm or by a signal lamps or mechanical signal device, except as provided in subsection 2 of this section; and  
be given lamp or otherwise
2. In addition to these requirements any motor vehicle in use on a street, avenue, alley, or public ground shall be equipped with, and required signal shall be given by a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or lead of such motor vehicle exceeds twenty- four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles.

**7-517. METHOD OF GIVING HAND-AND-ARM SIGNALS.** All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

1. Left turn: Hand and arm extended horizontally;
2. Right turn: Hand and arm extended upward;
3. Stop or decrease speed: Hand and arm extended downward.

**7-518. OBSTRUCTION TO DRIVERS VIEW OR DRIVING MECHANISM.**

1. 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.
2. 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 his control over the driving mechanism of the vehicle.

**7-519.. GARBAGE, GLASS, ETC., STREETS, AVENUES, ALLEY, OR PUBLIC GROUNDS PROHIBITED.**

1. No person shall throw or deposit upon any street, avenue, alley, or public ground any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle, or throw or deposit rubbish of any kind upon the street, avenue, alley or public ground.
2. Any person who drops, or permits to be dropped or thrown, upon any street, avenue, alley or public ground any destructive or injurious material shall immediately remove the same or cause it to be removed; and
3. Any person removing a wrecked or damaged vehicle from a street, avenue, alley or public ground shall remove any glass or other injurious substances dropped upon the street, avenue, alley, or public ground from such vehicles.

**7-520. DRIVING THROUGH SAFETY ZONE PROHIBITED.** No vehicle shall at any time be driven through, over, or within a safety zone.

**7-521. TOWING SLEDS AND CARTS.** No driver or operator shall tow or permit the towing by any vehicle on the streets of the City of Lisbon or any sleigh, wagon, cart, toboggan, skis, or other device which creates a traffic hazard.

**7-522. TURNING SIGNS.** The police department by authority of the City Council may post signs prohibiting right, left, or U -turns at any street intersection in the City of Lisbon.

**7-523. TRUCK PARKING ONLY.** The police department, by authority of the City Council may post signs on those streets in the business district or any portion thereof for the parking of trucks only in the City of Lisbon.

**7-524. SCHOOL ZONE DESIGNATION, DRIVING WITH CARE.** The police department or school authorities may provide appropriate signs or warnings designating school zones. Any person who drives any vehicle upon any public street, avenue, or alley, shall, before entering any school zone and while traversing the same, shall have such vehicle under perfect control, and shall operate such vehicle with due caution and circumspection and at a speed and in a manner so as not to endanger or likely to endanger any person or property.

## **ARTICLE VI.**

### **PEDESTRIANS**

**7-601. PEDESTRIANS SUBJECT TO TRAFFIC REGULATIONS.** Pedestrians shall be subject to traffic-control signs at intersections, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Article.

#### **7-602. PEDESTRIANS RIGHT-OF-WAY IN CROSSWALKS**

1. When traffic-control signs are not in place the driver a vehicle shall yield the right-of-way, slowing down stopping if need be so to yield, to a pedestrian crossing roadway within a crosswalk when the pedestrian is upon half of the roadway upon which the vehicle is traveling, when the pedestrian is approaching so closely from opposite half of the roadway as to be in danger;
2. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

#### **7-603. CROSSING AT OTHER THAN CROSSWALKS:**

1. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway;

#### **7-604. CROSSING AT OTHER THAN CROSSWALKS: PROHIBITED.**

Pedestrians shall cross streets only at the intersections thereof and when crossing streets shall pass over such portion of the street as is included in the direct line with the sidewalks as projected, and shall not cross diagonally.

**7-605. DRIVERS TO EXERCISE DUE CARE.** Notwithstanding the foregoing provisions of this Article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or a confused or incapacitated person upon a roadway.

**7-606. PROTECTION OF BLIND OR INCAPACITATED PEDESTRIANS.**

No person on any public street, avenue, alley or public ground, unless such person is totally or partially blind, or is otherwise incapacitated, shall carry in a raised or extended position any cane or walking stick which is white in color, or white tipped with red.

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

Nothing contained in this Article shall be construed to deprive any totally or partially blind or otherwise incapacitated person not carrying such a cane or walking stick, or not being guided by a dog, or any of the rights or privileges conferred by law upon pedestrians, nor shall the failure of such totally or partially blind or otherwise incapacitated person to carry a cane or walking stick, or to be guided by a guide dog upon the street, avenues, alleys, public grounds, or sidewalks of this city, be held to constitute or be evidence of contributory negligence.

Any person violating any of the provisions of this section shall be punished by a fine not exceed twenty-five dollars.

**7-607. PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS.**

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

1. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway; and
2. Where sidewalks are not provided any pedestrian walking along and upon a street, avenue, alley or public ground shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

**7-609. PEDESTRIANS SOLICITING RIDES OR BUSINESS.**

1. No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the occupant of any vehicle; and
2. No person shall stand on or in proximity to a street, avenue, alley or public ground for the purpose of soliciting the watching or guarding of any vehicle parked or about to be parked on a street avenue, alley, or public ground.

**7-610. PLAYING ON STREET PROHIBITED.** No person shall play upon streets, avenues, alleys, or public grounds of the City of Lisbon except upon such grounds as may be provided for such purpose, and this section shall apply to both the business and residential areas.

**ARTICLE VII.****POLICE AND FIRE VEHICLES AND AMBULANCES**

**7-701. AUTHORIZED EMERGENCY VEHICLES.** The driver of an authorized emergency vehicle within the City of Lisbon when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

1. The driver of an authorized emergency vehicle may:
  - A. Park or stand, irrespective of the provisions of this Article;
  - B. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
  - C. Exceed the speed limit so long as he does not endanger life or property;
  - D. Disregard regulations governing direction of movement or turning in specified directions
2. The exceptions herein granted to an authorized emergency vehicle shall apply only when it is operated upon official business and the driver sounds an audible signal by bell, siren, or exhaust whistle or gives adequate warning by use of a flashing red light which is visible under normal atmospheric conditions for at least five hundred feet.
3. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

**7-703. FOLLOWING FIRE APPARATUS PROHIBITED.** The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into a park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

**7-704. CROSSING FIRE HOSE.** No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, avenue, alley or public ground, or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

**ARTICLE VIII.****TAMPERING WITH, INJURING, OR TAKING VEHICLES**

**7-801. DRIVING VEHICLE WITHOUT OWNERS CONSENT.** It shall be a violation of this chapter for any person to drive a vehicle not his own without the consent of the owner and in the absence of the owner, and with the intent to temporarily deprive the owner thereof of his possession of such vehicle, although without intent to steal the same. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of the owner's previous consent on some other occasion to the taking or driving such vehicle by the same or another person. Any person who assists in or is a party to or accessory to or an accomplice in any such unauthorized taking or driving shall also be guilty of a violation hereof.

**7-802. TAKING FROM WAREHOUSE OR GARAGE.** Any person who enters any warehouse, garage or building of any kind and takes therefrom, for his own use or that of others, any vehicle or appliance or equipment, shall be guilty of a violation of this section, if such entering or taking is without the consent of the owner or legal possessor of such vehicle. The fact that such vehicle was voluntarily returned to its original place by the party taking the same or by some other person, either before or after the owner discovers such removal or taking, or the fact that the party taking the same was then and there an employee of the owner or legal possessor of the vehicle, shall not be deemed a defense in the prosecution for violation of this section, provided that this section shall not apply to an employee of a garage or repair shop when such taking is in the course of his employment and under the direction of the employer.

**7-803. TAMPERING WITH A VEHICLE.** Any person who shall without the consent of the owner or the person in charge of a vehicle, climb into or upon such vehicle with the intent to commit any crime, malicious mischief, or injury thereto, or who, while such vehicle is at rest or unattended, shall attempt to manipulate any of the levers, starting device, or starting crank, brakes or other mechanical part thereof, or to set the vehicle in motion, shall be guilty of a violation of this section, except that this section and the foregoing sections of this Article shall not apply when any such act is done in an emergency in furtherance of public safety or convenience, or by or under the direction of a police officer for the regulation of traffic or the performance of any official duty.

**7-804. INJURING THE VEHICLE.** Any person who shall, individually or in association with any one or more person, willfully break, injure, or tamper with or remove any part or parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle or temporarily or permanently preventing its useful operation, or for any other purpose, against the will of the owner of such vehicle, or who shall, in any other manner or operation of such vehicle, shall be guilty of a violation of this section.

**7-805. THROWING SNOWBALLS, ROCKS, OR OTHER MISSILES.** The throwing of snowballs, rocks, or other missiles by any person, at or toward any vehicle, either standing or moving, shall be deemed a violation of this section and the same is hereby prohibited.

**7-806. CLINGING TO VEHICLES.** No person riding upon any bicycle, coaster, skis, rollerskates, sled, toboggan or toy vehicle shall attach the same or himself, with or without any of the aforementioned items, to any vehicle upon any roadway.

#### **ARTICLE IX.**

##### **STOPPED, STANDING OR PARKED VEHICLES**

**7-901. STARTING PARKED VEHICLES** No person shall start a vehicle which is stopped, or parked unless and until such movement can be made with reasonable safety.

##### **7-902. OBEDIENCE TO SIGNAL INDICATION APPROACH OF TRAIN.**

1. Whenever any person driving a vehicle approaching a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
  - a. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
  - b. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
  - c. A railroad train approaching within approximately one thousand three hundred and twenty feet of the highway crossing emits a signal audible from such distance and such railroad train by reason of its speed or nearness to such crossing, is an immediate hazard; or
  - d. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

2. No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. No person shall drive any vehicle past any human flagman at a railroad crossing until the flagman signals that the way is clear to proceed.

**7-903. CROSSING. CERTAIN VEHICLES MUST STOP AT ALL RAILROAD GRADE CROSSING.**

1. The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail, of such railroad and shall while so stopped listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing and the driver shall not shift gears while crossing the track or tracks;
2. No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

**7-904. VEHICLES MUST STOP AT STOP SIGNS.** Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection or in the event there is no crosswalk shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection except when directed to proceed by a police officer or traffic control signal.

**7-905. EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING.** The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.



**7-906. OVERTAKING AND PASSING SCHOOL BUS.** The driver of a vehicle upon any street, avenue, alley or public ground within a business or residence district upon meeting or overtaking from either direction any school bus which has stopped on the street, avenue, alley or public ground for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by the driver to proceed.

This section shall be applicable only in the event that the school bus shall bear the words "school bus" printed in letters at least four inches high on both the front and rear of the body, or on a sign attached thereto.

**7-907. STOPPING, STANDING, OR PARKING WITHIN BUSINESS OR RESIDENCE DISTRICTS.** Upon any street, avenue, alley or public ground within a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the main-traveled part thereof. This section shall not apply to the driver of any vehicle which is disabled while on the main-traveled portion of a street, avenue, alley or public ground in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

**7-908. OFFICERS OR STREET COMMISSIONER AUTHORIZED TO REMOVE ILLEGALLY STOPPED OR PARKED VEHICLE.**

1. Whenever any police officer finds a vehicle standing upon a street, avenue, alley or public ground in violation of any of the provisions of Section 7-907 of this Article such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or main-traveled part of such street, avenue, alley or public ground.
2. Whenever any police officer finds a vehicle unattended upon any bridge where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.
3. Whenever any police officer or the street commissioner desires to clean streets, remove snow, or clear the streets or avenues of motor vehicles stopped or parked in dead storage in the City of Lisbon, such officer or street commissioner is hereby authorized to remove such vehicles.

**7-909. STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES.** No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within ten feet of a fire hydrant;
5. On a crosswalk;
6. Within ten feet of a crosswalk at an intersection;
7. Within fifteen feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway.
8. Between a safety zone and at the adjacent curb or within fifteen feet of points on the curb immediately opposite the ends of a safety zone;
9. Within fifteen feet of the nearest rail of a railroad crossing;
10. Within four feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly sign-posted;
11. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
13. At any place where official signs prohibit stopping or parking.

No person shall move a vehicle not lawfully under his control into such prohibited area or away from a curb such distance as is unlawful.

**7-910. ADDITIONAL PARKING REGULATION.**

1. Except as otherwise provided in this Article every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels or such vehicle parallel to and within eighteen inches of the right-hand curb.

2. The City Council of the City of Lisbon, North Dakota, may from time to time, by resolution provide traffic officers or signaling devices or signs at intersections and other places when traffic conditions may so require, and may prohibit traffic or parking of motor vehicles entirely on streets and avenues in the City of Lisbon, North Dakota upon such occasions as may be deemed expedient and necessary by said council as provided by said resolution.
3. Motor vehicles found parked in violation of this Article or in violation of any resolution passed pursuant to and in conformity with this chapter may be removed by or under the direction of the police department or street commissioner to any place designated by said police department or street commissioner and held until the cost and expenses of such removal and storage together with any and all fines or penalties, if any, imposed for the violation of the Article are paid.

**7-911. UNATTENDED MOTOR VEHICLES.** No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, effectively setting the brake thereon, and when standing upon any grade, turning the front wheels to the curb or side of the street, avenue, alley, or public ground.

**7-912. LIMITATIONS ON BACKING.** The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

**7-913. MANNER OF PARKING.** Parking of all automobiles and motorcycles on the south side of 4th Avenue between Main Street and the alley east of Main Street shall be diagonal parking only at the curb line.

Parallel parking on all other streets and avenues.

Double parking is prohibited on any of the streets or avenues in the City of Lisbon.

The City Council of the City of Lisbon, North Dakota, may by resolution change the manner of parking in this section as it may deem expedient and necessary.

**7-914. ONE HUNDRED TWENTY MINUTE PARKING ZONES.** The owner, driver or any other person having under his control or charge any motor vehicle, or any kind whatsoever, shall not cause, permit, or allow such vehicle to stand or remain in any one place for a period any longer than one hundred twenty minutes between the hours of 9:00 a.m. and 6:00 p.m., or between 9:00 a.m. and 9:00 p.m. on regular shopping nights when the stores are open, with the exception of Sundays and holidays, upon the following streets and avenues in the City of Lisbon:

Both sides of Main Street from 3rd Avenue to 7th Avenue

East 1/2 of 4th Avenue and the East 1/2 of 5th Avenue between Oak and Main Street - both sides

East of Main Street 1/2 Block on 4th Avenue - both sides

East of Main Street 1/2 Block on 5th Avenue - both sides

When said one hundred twenty minutes shall have lapsed and said vehicle shall not have been moved for a distance of more than one block, said vehicle shall be construed to have remained stationary. Each and any portion of an additional one hundred twenty minute period during which a vehicle is parked, shall constitute a separate and additional violation of the section. The fee for each violation shall be \$2.00. The violator shall have the option of paying the fee by depositing same in the overtime parking slot at the Police Station located at the Fire Hall in Lisbon prior to the date set for appearance before the Magistrate or in lieu of making said deposit he may appear before the Magistrate.

The City Council, if in their judgment traffic conditions warranted, may extend, change or adjust the parking zones designated herein, provided said extensions, changes or adjustments are posted or marked.

It shall be the duty of the Chief of Police of the City of Lisbon to erect signs concerning the above parking regulations in the appropriate locations.

#### **ARTICLE X.**

##### **BICYCLE**

###### **7-1001. EFFECT OF REGULATIONS.**

- a. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this article.
- b. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.
- c. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

**7-1002. LICENSE APPLICATION.** Application for a bicycle license and license plate shall be made upon a form provided by the city and shall be made to the Police Department. A license fee of not more than \$3.00, which license fee shall be set by the Lisbon City Council from time to time, shall be paid to the city before each license or renewal thereof is granted.

**7-1003. ISSUANCE OF LICENSE.**

- a. The Chief of Police, or his delegated agent, upon receiving proper application therefore is authorized to issue a bicycle license which shall be effective until the end of the two-year license period. A new license period shall commence on January 1st of each even numbered year regardless of at what date said license was secured during the license period. A registration card shall be issued with each license;
- b. The Chief of Police, or his delegated agent, shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of or entitled to the possession of such bicycle;
- c. The Chief of Police, or his delegated agent, shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected.

**7-1004. ATTACHMENT OF LICENSE PLATE.**

- a. The Chief of Police, or his delegated agent, upon issuing a bicycle license shall also issue a license plate bearing the license number assigned to the bicycle, the name of the city, and the calendar year for which issued;
- b. The Chief of Police, or his delegated agent, shall cause such license plate to be firmly attached to the rear fender or frame of the bicycle for which issued in such position as to be plainly visible from the rear;
- c. No person shall remove a license plate from a bicycle during the period for which issued except in the event the bicycle is dismantled and no longer operated upon any street in this city.

**7-1005. INSPECTION OF BICYCLES.** The Chief of Police, or his delegated agent, may inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines is in unsafe mechanical condition.

**7-1006. RENEWAL OF LICENSE.** Upon the expiration of any bicycle license the same may be renewed upon application and payment of the same fee as upon an original application.

**7-1007. TRANSFER OF OWNERSHIP.** Upon the sale or other transfer of a licensed bicycle, it shall be the responsibility of the purchaser to make proper application to the Police Department for a change in ownership registration, said change in records to be made without payment of any additional fee. In all cases the license plate shall remain with the bicycle to which it was originally assigned.

**7-1008. RENTAL AGENCIES.** A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required in this chapter.

**7-1009. BICYCLE DEALERS.** Every person engaged in the business of buying or selling new or second-hand bicycles shall make a report to the Police Department of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and the number of the license plate, if any, found thereon.

**7-1010. TRAFFIC LAWS APPLY TO PERSON RIDING BICYCLES.** Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no application.

**7-1011. OBEDIENCE TO TRAFFIC-CONTROL DEVICES.**

- a. Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other devices applicable to vehicles, unless otherwise directed by a police officer;
- b. Wherever authorized signs are erected indication that no right or left or "U"turn is permitted, no person operating a bicycle shall disobey the direction of any sign, except where such person dismounts from the bicycle to make any such turn, in which event such person then obey the regulations applicable to pedestrians.

**7-1012. RIDING ON BICYCLES.**

- a. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto;
- b. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

**7-1013. RIDING ON ROADWAYS AND BICYCLE PATHS.**

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

**7-1014. SPEED.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

**7-1015. EMERGING FROM ALLEY OR DRIVEWAY.** The operator of a bicycle emerging from an alley, driveway or building, upon approaching a sidewalk or the pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway, shall yield the right of way to all vehicles approaching on said roadway.

**7-1016. CARRY ARTICLES.** No person operating a bicycle shall carry a package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars, or carry any package, bundle, or article which prevents the forward vision of the operator.

**7-1017. PARKING.** No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

**7-1018. RIDING ON SIDEWALKS.**

- a. No person shall ride a bicycle upon a sidewalk within a business district;
- b. No person 12 or more years of age shall ride any bicycle upon any sidewalk in any district, except those persons engaged in delivering newspapers may ride their bicycle upon a sidewalk outside the business district during working hours only in order to complete a delivery of their newspapers.
- c. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

**7-1019. LAMPS AND OTHER EQUIPMENT ON BICYCLES.** Every bicycle when in use at night time shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps of a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

**7-1020. BICYCLES MAY BE IMPOUNDED IF OPERATED IN VIOLATION OF ORDINANCES: IMPOUND FEE:** The police department of the City of Lisbon or any of the members thereof, may impound and retain possession of any bicycle not licensed or otherwise operated in violation of any of the ordinances of the City of Lisbon and retain possession of the same until the license provided for herein is obtained by the owner of said bicycle and until all impound fees and fines have been paid. An impound fee of \$2.00 per week is hereby established.

**7-1021. BICYCLE ACCIDENTS.** The driver of a bicycle involved in an accident with another bicycle, motor vehicle or with a pedestrian shall immediately stop such bicycle at the scene of the accident and shall give his name, age and address to other person or persons involved. He shall also give immediate notice of the accident to the Police Department and shall file a report with the Police Department regarding the accident. In the event said accident is investigated at the scene by the police then it is not necessary for the driver to file an individual report.

## ARTICLE XI.

### EQUIPMENT OF VEHICLES

**7-1101. FRONT AND REAR LAMPS TO BE LIGHTED ON VEHICLES AT CERTAIN TIMES.** During the period elapsing from one-half hour after sunset of each day to one-half hour before sunrise of the following day, and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred feet ahead, every motor vehicle shall be equipped with lighted front and rear lamps in the manner provided in this article for the different classes of vehicles. No motor vehicle shall be operated upon the streets, avenues, alleys, and public grounds with only the parking lights turned on.

**7-1102. HEADLAMPS ON MOTOR VEHICLES.** Every motor vehicle other than a motorcycle, road roller, road machinery, or farm tractor shall be equipped with at least two headlamps with at least one headlamp on each side of the front of the motor vehicle.



**7-1103. HEADLAMPS: CONSTRUCTION, ARRANGEMENT, AND ADJUSTMENT: GLARING AND DAZZLING LIGHT PROHIBITED.** Except as hereinafter provided, the headlamps of the auxiliary driving lamp or the auxiliary passing lamp or combination hereof on motor vehicles other than motorcycles or motor-driven cycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

1. There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions of loading;
2. There shall be a lowermost distribution of light, composite beam, so aimed and of sufficient intensity reveal persons and vehicles at a distance of at least hundred feet ahead; and on a straight level road under condition of loading none of the high-intensity portion the beam shall be directed to strike the eyes of approaching driver.

**7-1104. VEHICLES TO BE EQUIPPED WITH REAR LAMPS, REFLECTORS OR REFLECTING MATERIAL.** All vehicles, including animal drawn vehicles, implements of husbandry, and road machinery, not specifically required to be equipped with lamps, shall at the time specified in Section 7-1101 be equipped with rear lamps, reflectors, or reflecting material. Such rear lamps, reflectors, or reflecting material shall be of such size and characteristics and so maintained as to be readily visible at night time from all distances within five hundred feet to fifty feet from the vehicle when directly in front of lawful upper beams of headlamps. Every motor vehicle shall carry at the rear a lamp of a type which has been approved by the registrar and which exhibits a red light plainly visible under normal atmospheric conditions from a distance of five hundred feet to the rear of such vehicle.

**7-1105. CLEARANCE LAMPS: REQUIRED WHEN.** Every motor vehicle other than any road roller, road machinery, or farm tractor, having a width at any part in excess of eighty inches shall carry tow clearance lamps on the left of such vehicle, one located at the front and displaying an amber light visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, and the other located at the rear of the vehicle, and displaying a red light visible under like conditions from a distance of five hundred feet to the rear of the vehicle.

**7-1106. SPOT LAMPS: LIMITATIONS ON NUMBER AND USE.** Any motor vehicle may be equipped with not to exceed two spot lamps. Every lighted spot lamp shall be dimmed and used upon approaching another vehicle so that no part of the beam will be directed to the left of the center of the highway nor more than one hundred feet ahead of the vehicle.

**7-1107. AUXILIARY DRIVING LAMPS PERMISSIBLE: REQUIREMENTS.**

Any motor vehicle may be equipped with not to exceed one auxiliary driving lamp mounted on the front at a height of not less than sixteen inches nor more than forty-two inches above the level surface on which the vehicle stands. Every such auxiliary driving lamp shall meet the requirements and limitations set forth in Section 7-1104; provided that any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high intensity portion of the light to left of center of the vehicle shall at a distance of 25 feet ahead project higher than a level of 4 inches below the level of the center of the lamp from which it comes.

**7-1108. LIGHTS ON PARKED VEHICLES.**

Whenever a motor vehicle is parked or stopped upon a street, avenue, alley, or public ground, whether attended or unattended, during the time mentioned in Section 1, there shall be displayed thereon one or more lamps projecting a white or amber light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such motor vehicle and projecting a red light visible under like conditions from a distance of five hundred feet to the rear, except that local authorities may provide by resolution that no lights need be displayed upon any such motor vehicle when parked upon a street, avenue, alley, or public ground in accordance with local ordinances, where there is sufficient light to reveal any person within a distance of two hundred feet upon such highway. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

**7-1109. RED OR GREEN LIGHT VISIBLE FROM IN FRONT OF VEHICLE PROHIBITED: EXCEPTION.** No person shall drive or move any vehicle upon a street, avenue, alley, or public ground with any red or green light thereon visible from directly in front thereof. This section shall not apply to police, fire department, fire patrol, or other authorized emergency vehicles.

**7-1110. TIRE EQUIPMENT: REGULATION GOVERNING.** The following regulations shall govern tire equipment:

1. Every solid rubber tire on a vehicle moved on any street, avenue, alley, or public ground shall have rubber on its entire traction surface at least one inch thick about the edge of the flange of the entire periphery; and
2. No tire on a vehicle moved on a street, avenue, alley, or public ground shall have on its periphery and block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber or other material approved by the registrar which projects beyond the tread of the traction surface of the tire except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the street, avenue, alley, or public ground and

except also, that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to slide or skid.

**7-1111. PERMITS AUTHORIZING TRACTORS OR TRACTION ENGINES WITH MOVABLE TRACKS TO OPERATE ON STREETS, AVENUES, ALLEYS OR PUBLIC GROUNDS.** The commissioner and local authorities in their respective jurisdictions may issue special permits authorizing the operation upon a street, avenue, alley or public ground of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks.

**7-1112. BRAKES ON MOTOR VEHICLES AND MOTORCYCLES: REQUIREMENTS.** Every motor vehicle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be so constructed that no part which is liable to failure shall be common to the two. A motorcycle need be equipped with only one brake. All such brakes shall be maintained in good working order and shall conform to regulations promulgated by the registrar not inconsistent with this section.

**7-1113. RIDING ON MOTORCYCLES.** A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.

Every operator under 18 years of age and every passenger on a motorcycle, as herein defined, shall at all times when such motorcycle is in motion while being operated upon the public streets and alleys, or other public places of the City of Lisbon, be required to wear a crash helmet of a type and meeting the standards approved and established by the Motor Vehicle Registrar of the State of North Dakota.

Such crash helmet shall not be required by an operator or passenger on a motorcycle that is being operated as part or in conjunction with an authorized parade or ceremonial function. Provided however, that each motorcycle operator shall secure from the Police Department of the City of Lisbon written authorization for such operation without a helmet and which authorization shall certify that such function is an authorized parade or ceremonial function.

**7-1114. HORNS AND WARNING DEVICES: REGULATIONS GOVERNING.** Every motor vehicle operated upon a highway shall be equipped with a horn in good working order capable of emitting under normal conditions for a distance of not less than two hundred feet. Except as otherwise provided in this chapter, no vehicle shall be equipped with and no person shall use upon a vehicle any siren, exhaust, compression, or spark plug whistle, nor at any time use a horn otherwise than as a reasonable warning, nor make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

**7-1115. WARNING DEVICE OF POLICE AND FIRE DEPARTMENT VEHICLES.** Every police or fire department and fire patrol vehicle and every ambulance used for emergency calls shall be equipped with a bell, siren, or exhaust whistle of a type approved by the registrar.

**7-1116. MIRRORS.** No person shall drive on a street, avenue, alley, or public ground a motor vehicle so constructed or loaded as to prevent the driver from obtaining a view of the street, avenue, alley or public ground to the rear by looking backward from the driver's position unless such vehicle is equipped with a mirror so located as to reflect the driver a view of the street, avenue, alley or public ground for a distance of at least two hundred feet to the rear of the vehicle.

**7-1117. SIGNS AND POSTERS ON WINDOWS OF VEHICLES PROHIBITED: EXCEPTION.** No person shall drive any vehicle upon a street, avenue, alley, or public ground with any sign, poster, or any other non-transparent material upon the front windshield, side wings, side or rear windows of such motor vehicle other than a certificate or other paper required to be displayed by law.

**7-1118. WINDSHIELD WIPERS REQUIRED.** Every windshield, on a motor vehicle shall be equipped with a device for cleaning rain or snow or other moisture from the windshield. Such device shall be so constructed as to be controlled or operated by the driver of the vehicle.

**7-1119. MUFFLER REQUIRED: MUFFLER CUT-OUT PROHIBITED. NO** person shall drive a motor vehicle on a highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. No person shall use a "muffler cut-out" on any motor vehicle upon a street, avenue, alley, or public ground.

**7-1120. VEHICLE TO BE CONSTRUCTED TO PREVENT SIFTING OR LEAKING LOADS.** No vehicle shall be driven or moved on any highway unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway. No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the street, avenue, alley or public ground.

**7-1121. DRAWBAR OR CONNECTIONS BETWEEN VEHICLE: REGULATIONS AND PRECAUTIONS REQUIRED.** The drawbar or other connection between any two vehicles, one of which is towing or drawing the other on a street, avenue, alley or public ground shall not exceed fifteen feet in length from one vehicle to the other. Whenever such connection consists of a chain, rope, or cable, there shall be displayed thereon a red flag or other signal or cloth not less than twelve inches in both length and width.

**7-1122. MISDEMEANOR TO VIOLATE PROVISIONS GOVERNING EQUIPMENT OF VEHICLES.** It shall constitute a misdemeanor for any person to drive or move, or for the owner to knowingly permit to be driven or moved, on any street, avenue, alley, or public ground any vehicle or vehicles which are not constructed as required in this article or according to the rules and regulation of the registrar adopted pursuant to the provisions of this chapter, or which are in such unsafe condition as to endanger any person.

**7-1123. FLASHING LIGHTS, PROHIBITION.** Flashing lights are prohibited except on any authorized emergency vehicle, school bus, snow removal equipment, or any vehicle as a means for indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.

**7-1124. SPECIAL LIGHTING AND WARNING EQUIPMENT ON SCHOOL BUSES.** The Superintendent of Public Inspection in cooperation with the registrar is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried on school buses and other vehicles transporting children to school for compensation, consistent with the provisions of this chapter.

**ARTICLE XII.****RAILROAD CARS AND CROSSINGS**

**7-1201. RAILROADS TO KEEP FLAGMAN, OR LIGHTS AT CROSSINGS: HOW REQUIRED.** Whenever the City Council shall deem it necessary to request the precaution for the safety of travel on the public streets and avenues of the City of Lisbon, where the same are crossed by a railway within the limits of said City, to have and maintain a flagman, gates or light at such crossings, it may by resolution declare that it is necessary to have and maintain a flagman, gates or light at the crossing or crossings designated in such resolution, and then request the railroad company, whose duty it is or may be to furnish and maintain at the crossing or crossings designated.

**7-1202. CITY AUDITOR TO NOTIFY.** And it shall be the duty of the City Auditor to notify such railroad company by having served upon such railroad company's agent in the City of Lisbon, a copy of such resolution.

**7-1203. DUTY OF RAILROAD COMPANY, AFTER NOTICE DELIVERED.** And it shall be the duty of such railroad company within ten (10) days after a copy of such resolution is served on its agent as herein provided to place and maintain at such crossings as are designated and maintain the same during such hours each day as said resolution may provide and until relieved therefrom by order of the City Council.

**7-1204. ENGINES AND CARS ON CROSSINGS: LENGTH OF TIME PERMISSIBLE.** No railroad company, railroad engineer, train conductor or any other person shall cause or allow any car or cars unconnected with the engine or locomotive to stand on or remain upon any street and railroad crossing or remain on any street and railroad crossing or any avenue and railroad crossing within the limits of the City of Lisbon for any time whatever. By street and railroad crossings or avenue and railroad crossings as used in this section is meant the full width of such street or avenue where any railroad or railroads intersect or cross the same.

No railroad company, railroad engineer, train conductor or other person shall cause or allow any locomotive engine, car or cars, or train of cars to stop on or remain on any street and railroad crossing or avenues and railroad crossing within the limits of the City of Lisbon for a longer time than five (5) minutes.

**7-1205. SPEED LIMIT OF TRAINS WITHIN CITY.** It shall be unlawful for any person or persons or corporation, by agent or otherwise, to run any locomotive, passenger or freight train within the limits of the City of Lisbon at a greater rate of speed than forty (40) miles per hour.

**ARTICLE XIII.****SPEED RESTRICTIONS**

**7-1301. RESTRICTIONS AS TO SPEED.** Any person driving a vehicle on any street, avenue, alley, or public ground within the City of Lisbon, or upon any state or county highway lying wholly or partly within the City of Lisbon, or upon any state or county highway lying immediately adjacent to the limits of the City of Lisbon, shall drive the same at a careful and prudent speed, not greater than is reasonable and proper, having due regard to the traffic, surface, and width of the highway, and of any other condition then existing; and no person shall drive any vehicle upon a highway at such a speed as to endanger the life, limb, and property of any person.

**7-1302. SPEED LIMIT.** Subject to the provisions of Section 7-1301 of this Article, and except in those instances where a low speed is specified in this chapter, it shall be prima facie lawful for the driver of a vehicle to drive the same at a speed not exceeding the following; but in any case when speed would be unsafe it shall not be lawful.

- a. 15 miles an hour when passing a school during school recess or while children are going to or leaving school during opening and closing hours;
- b. 15 miles an hour when approaching within 50 feet and in traversing an intersection of highways when driver's view is obstructed. The driver's view shall be deemed to be obstructed when at any time during the last 50 feet of his approach to such intersection he shall not have a clear and unobstructed view of such intersection and of the traffic upon all the highway entering such intersection;
- c. 25 miles an hour on all other streets, avenues, alley and public grounds within the City of Lisbon.

**7-1303. EXCEEDING SPEED LIMIT.** It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations.

**7-1304. RADAR EVIDENCE IN SPEED VIOLATIONS.** The speed of any motor vehicle may be checked by the use of radar. The results of such checks shall be accepted as prima facie evidence of the speed of such motor vehicle in any court or legal proceedings where the speed is at issue. The driver of any such motor vehicle may be arrested without a warrant under this section, provided the arresting officer is in uniform or displays his badge of authority; provided that such officer has observed the record of the speed of such motor vehicle by radar, or has received a radio message from the officer who observed the speed of the motor vehicle recorded by radar.

**ARTICLE XIV.****PROCEDURE UPON ARREST**

**7-1401. ARRESTING PERSON FOR VIOLATING TRAFFIC REGULATIONS: DUTY OF OFFICER ARRESTING.** Whenever any person is arrested for the violation of any of the provisions of this chapter, the officer arresting such person, except as otherwise provided shall:

- a. Take the name and address of such person;
- b. Take the license number of his motor vehicle; and
- c. Issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons or notice.

**7-1402. HEARING UPON ARREST, TIME OF , PROMISE OF DEFENDANT TO APPEAR, FAILURE TO APPEAR.**

- a. The time to be specified in the summons or notice provided for in Section 7-1401 shall be at least two days after such arrest unless the person arrested shall demand an earlier hearing, and if the person arrested desires, he may have the right at a convenient hour, to an immediate hearing or to a hearing within twenty-four hours. Such hearing shall be before a magistrate of the City of Lisbon. Upon the receipt from the arrested person of a written promise to appear at the time and place mentioned in the summons or notice, such officer shall release him from custody. Any person refusing to give such written promise to appear shall be taken immediately, or as soon as possible, by arresting officer before the nearest or most accessible magistrate;
- b. A willful failure to keep each written promise to appear shall be a violation of this chapter regardless of the disposition of the charge upon which such person originally was arrested.

**7-1403. OFFENSES UNDER WHICH PERSON ARRESTED MAY NOT BE ENTITLED TO RELEASE UPON PROMISE TO APPEAR.**

The provisions of Section 7-1402 shall not apply if:

- a. The person arrested is not a resident of the City of Lisbon or the arresting officer shall not have good reason to believe such person guilty of any felony or when such person is arrested and charged with either of the following offenses:
  1. Causing or contributing to an accident resulting in injury or death of any person;
  2. Driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or a narcotic drug.



- b. The arresting officer, acting within his discretion, deems it inadvisable to release such persons upon his promise to appear when arrested and charged with either of the following offenses:
1. Reckless driving;
  2. Driving in excess of speed limitations established by the state or by the City of Lisbon.

The arresting officer shall take any person not released upon his promise to appear before the proper magistrate without unnecessary delay or released upon depositing at police headquarters with the person in charge such bail as has been established for the particular offense by the Municipal Judge.

**7-1404. ARREST OF NON-RESIDENT TRAFFIC VIOLATOR. A police** officer at the scene of a traffic accident may arrest without warrant any driver of any vehicle who is a non-resident of this state and who is involved in the accident when based upon personal investigation, the officer has reasonable and probable grounds to believe that the person has committed any offense under the provisions of this chapter in connection with the accident, and if the officer has reasonable and probable grounds to believe the person will disregard a written promise to appear in court.

Whenever any person is arrested under the provisions of this section, he shall be taken without unnecessary delay before the proper magistrate.

**7-1405. FINES AND FORFEITURES, DISPOSITION OF.** All fines or forfeitures collected upon conviction, or upon forfeiture of bail of any person charged with the violation of any provisions of this chapter shall be disposed of as by law provided. The Municipal Judge may file with the Police Chief a schedule in writing, subscribed by the Municipal Judge, indicating the amount of bail fixed by such Municipal Judge for the release of persons arrested or charged with any violation of this chapter and based on the offense charged, which schedule shall be applicable for the bail to be furnished in his absence from Municipal Court, and any person who pays or delivers such bail to the Chief of Police or any other person in charge of the Police Department at the time, but during the absence of the Municipal Judge in Municipal Court, shall be immediately released from custody. Provided, that the payment or delivery of such bail shall be a waiver of any defect or irregularity or any previous defect or irregularity in such proceedings, including the arrest of such person; and provided further, that the Municipal Judge may in all cases where he is present in Municipal Court fix bail in such amounts or upon such conditions as may be provided by law, and within his discretion without regard to bail schedule provided and applicable in his absence from Municipal Court.

**7-1406. TAGGING MOTOR VEHICLES.** Any officer or representative of the Police Department who finds any motor vehicle located within the City at a place or in a condition which is at the time in violation of this chapter, may affix a tag to any portion of such motor vehicle giving notice in writing requiring the owner or person in possession thereof to appear before the Municipal Judge at a time less than provided in Section 7-1402 of this Article. This shall constitute legal and sufficient notice requiring the owner or person in possession of said motor vehicle to appear before the Municipal Judge, at the time or within the time specified on said tag. In the event the owner or person in possession of said motor vehicle shall fail to respond to said notice to appear before the Municipal Judge at the time or within the time specified on such tag, then he may be arrested at any subsequent time and prosecuted for violation of this section.

**7-1407. REPORTS KEPT BY MUNICIPAL JUDGE.** The Municipal Judge shall keep and file a report of every case in which a person is charged with violation of any provision of this chapter.

**7-1408. WHEN COPY OF CITATION SHALL BE DEEMED A LAWFUL COMPLAINT.** In the event the form of citation includes information and is sworn to as required under the general laws of this state in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with court having jurisdiction shall be deemed to be lawful complaint for the purpose of prosecution under this chapter.

**7-1409. FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE.** If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days the Police Department shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued.

**7-1410. PRESUMPTION IN REFERENCE TO ILLEGAL PARKING.** In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner or such vehicle, was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

**7-1411. WHEN WARRANT TO BE ISSUED.** In the event any person fails to comply with a traffic citation given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the Municipal Judge s Court, or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the Police Department shall secure, from the Municipal Judge, a warrant for his arrest.

#### **ARTICLE XV.**

##### **PENALTIES**

**7-1501. PENALTIES FOR VIOLATION OF CHAPTER.** Every person, firm or corporation convicted of a violation of any of the provisions of this chapter for which another penalty is not specifically provided therein, shall upon conviction thereof be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the County or Municipal Jail for not more than thirty (30) days, or by both such fine and imprisonment at the discretion of the Court; provided, that the Court sentencing any person, whether for a first or subsequent violation of this ordinance, may suspend sentence or imprisonment or any part thereof, and make its order that the person so sentenced shall be precluded from driving any motor vehicle within this city for a period of not to exceed ninety (90) days. upon proof of the satisfaction of the Court that such order has been disobeyed, said suspension shall be by the Court revoked; and the defendant shall be arrested and committed to serve that portion of the sentence which has been previously suspended.

**ARTICLE XVI****INCORPORATION OF STATE PROVISIONS**

**7-1601. PROVISIONS IN TITLE 39.** That Chapter VII of the Lisbon Revised Ordinances of 1984 relating to traffic regulations is hereby amended and re-enacted to include by reference the following sections of Title 39 of the North Dakota Century Code:

39-01-01, 39-01-01.1, 39-04-37, 39-05-28, 39-06, 39-06.1, 39-07, 39-08, 39-09, 39-10, 39-10.1, 39-10.2, 39-12, 39-13, 39-16, 39-16.1, 39-18, 39-20, 39-21, 39-22, 39-22.1, 39-22.3, 39-24, 39-26, 39-27, and 39-29.

**7-1602. CONFLICT.** That all portions of Chapter VII in conflict with said above-mentioned sections of Chapter 39 of the North Dakota Century Code are hereby repealed.

**7-1603. PENALTIES.** That specifically Article XV of Chapter VII entitled "PENALTIES" is amended and re-enacted to include by reference the maximum fines and penalties as provided in said sections of Chapter 39 of the North Dakota Century Code, repealing only the present provisions of said Article XV in conflict therewith.

**7-1604. COPY TO BE FILED.** That incident to the adoption of certain portions of Title 39 of the North Dakota Century Code by reference, a copy of the text of the adopted code shall be filed in the office of the City Auditor as required by North Dakota Century Code Section 49-05-01(1) for use and examination by the public.

**7-1605. INCORPORATION TO INCLUDE AMENDMENTS.** That the adoption of certain portions of Title 39 of the North Dakota Century Code by reference shall be construed to incorporate such amendments thereto as may be made therein from time to time, and such copy of the adopted portions of Title 39 filed as required above shall at all times be kept current in the office of the Auditor of the City of Lisbon.

**7-1606. VALIDITY.** That if any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected. (Ord. 1989-6)