

ORDINANCE NO. 973

An ordinance regulating riding, driving, travel, and traffic in and upon the public streets, lanes, alleys and avenues of the city of Garnett, Kansas, providing a penalty for the violation thereof, and repealing Ordinances 671 and 708 and all ordinances and parts of ordinances in conflict herewith.

Be it ordained by the Board of Commissioners of the city of Garnett, Kansas:

SECTION 1. The owner, operator, driver, or person in charge of any cart, dray, wagon, coach, omnibus, automobile, taxicab, carriage, buggy, motorcycle, tricycle, bicycle, or other vehicle used, propelled or driven upon the streets of the city of Garnett, Kansas, and all pedestrians and equestrians thereof, shall conform to and observe the following rules and regulations on all such streets, lanes, alleys, avenues and public places in said city.

DEFINITIONS.

SECTION 2. For the purpose of this ordinance the following terms are defined as follows, to-wit:

(a) The word "vehicle" includes equestrians, led horses and everything on wheels or runners except baby carriages.

(b) The word "driver" includes the rider or driver of horses, the rider of wheels, and the operator of a vehicle or motorcycle.

(c) The word "horses" includes all domestic animals.

(d) The term "congested district" as used in this ordinance shall include the following streets:

Fourth Avenue from Walnut Street to Main Street.

Fifth Avenue from Walnut Street to Main Street.

Sixth Avenue from Oak Street to Main Street.

Seventh Avenue from Oak Street to Main Street.

Eighth Avenue from Oak Street to Main Street, and all intersecting streets here named.

EQUIPMENT.

SECTION 3.

(a) Every motor vehicle except motorcycles being operated or driven upon any of the streets, alleys, or other public places in the city of Garnett, Kansas, shall be equipped with two (2) headlights located: one near either side of the front of the vehicle giving a white light so that the driver may plainly see the street, road, or object ahead of the vehicle for a reasonable distance and within which the vehicle could readily be stopped, and shall be provided with shades, dispersive or colored lenses, or etched or ground glass so that the lights will appear blurred and indistinctly defined and the lights emitted shall be defused and free from brilliant or metallic lustre and said lights shall be such as will not blind or dazzle other users of the highway or interfere with or hinder them in the use of the highway or make it difficult or unsafe for other users to ride, drive or walk thereon, and shall have a red light on the rear which lights shall be constantly in use when the vehicle is moving between one hour after sunset and one hour before sunrise.

(b) All motorcycles and other motor vehicles running on less than four wheels and bicycles shall be equipped with one headlight and one tail-light of the same general character to be used the same as those described herein.

(c) All motor and self-propelled vehicles except baby carriages and toy wagons shall be equipped with a suitable bell or horn or other suitable signal and with suitable brakes which must be kept in good order.

(d) All vehicles using gasoline or other explosive substance as a motive power shall be equipped with a muffler which shall be sufficient to deaden the sound of the explosions and prevent disturbing noises.

(e) No vehicle shall be operated with a cutout or similar device which will permit the exhaust to escape other than through a suitable muffler.

(f) No signal, commonly called a siren horn, shall be used upon any motor vehicle except by the fire department, and ambulances and unnecessary use of any such horn or signal is prohibited.

(g) Every vehicle with a cutout or similar device shall be presumptive evidence of the unlawful use thereof.

(h) All motor vehicles must be registered as required by law and carry the official number plate furnished by the Secretary of State for the current year which shall be conspicuously displayed on the rear of such vehicle and from one hour after sunset until one hour before sunrise and shall be so lighted as to be plainly readable at a distance of fifty (50) feet, except that persons residing in another state may temporarily operate their motor vehicles in said city without such number plate if such vehicle has been duly registered in the state of his residence and carries the number plate as provided for in such state.

DRIVING REGULATIONS

SECTION 4.

(a) A vehicle meeting another shall pass on the right.

(b) One desiring to pass another vehicle going in the same direction shall notify the other by appropriate signals and the one ahead shall drive to the right and the one passing shall pass to the left of the other, but must return to the right as soon as the vehicle is passed, but not until entirely clear of it, but no vehicle shall pass another moving in the same direction on any street intersection or railroad crossing or when the one being passed is meeting or about to meet another vehicle or person.

(c) All vehicles and animals shall be driven or ridden as near the right side of the street as practicable, and when the street is of sufficient width it shall be driven on the right side of the center line of the street except in passing another going in the same direction or in passing any obstruction in the street or for other necessary cause. Slow moving vehicles shall keep as close as possible to the right curb.

(d) A vehicle turning into another street to the right shall turn the corner as near to the right hand curb as possible.

(e) A vehicle in turning to the left from one street to another or turning around in any street must be driven past the middle of the intersecting street where the turn is made before commencing to turn and shall be at all times in so turning kept to the right of the center of the street intersection.

(f) No vehicle shall be turned around or make a U-turn at the intersection of Fourth Avenue and Oak Street or at the intersection of Fifth Avenue and Oak Street or at the intersection of Sixth Avenue and Oak Street, but shall proceed straight ahead or turn into the intersecting street.

(g) Vehicles being operated in the congested district shall not be turned around in any street or cross from one side of the street to the other between intersections.

(h) The horn, bell or other suitable signal shall be sounded upon approaching a crossing or when desiring to pass another vehicle or person going in the same direction, before backing and when emerging from any garage or filling station or other place off the street, and at all other times when to sound it, the same would lessen the danger of collision.

(i) No vehicle shall so occupy any street as to interfere with or interrupt the passage of other vehicles.

(j) No vehicle or animal shall be stopped on any intersection or within fifteen feet thereof at any time, and shall not be stopped at any other place on any street, alley or driveway other than for mere temporary purposes, or to be parked, except as provided in this ordinance.

(k) Every person driving, operating or propelling any vehicle shall stop the same immediately upon the request or signal of any police officer so to do.

(l) Vehicles approaching or upon an intersection shall give the right of way to those approaching from the right.

(m) Traffic posts or markers may be established at or near the center of the street intersection, and all travel must go to the right of them.

(n) Vehicles must not be backed in any street except so far as may be necessary to back out from the curb or parking place and proceed in the direction it was going when parked, and in no event shall any vehicle be backed into another street, alley, or intersection, and in backing care must be used not to obstruct or interfere with traffic.

(o) Upon the approach of any fire wagon, truck or apparatus, police patrol or ambulance, every vehicle shall draw as near as practicable to the right curb and stop and remain at a standstill until such fire wagon, truck or apparatus, police patrol or ambulance shall have passed and no vehicle shall trail or follow such wagon, truck or apparatus, closer than three hundred feet.

(p) No vehicle except those used by the fire department, police department or ambulance, shall be driven through any funeral or other procession.

(q) Use of the spot light or other dirigible light in driving is prohibited except temporarily when one or more of the head lights have broken or gone out and for other mere temporary purposes, and it shall be unlawful to direct the rays of any light known as the spot light upon an approaching vehicle or upon any person.

(r) No two or more vehicles shall drive abreast except in passing each other.

(s) No person shall drive or ride over any street being repaired or improved when to do so would impair or hinder the work and when barriers or warning signs or lights have been placed to protect any such work or to stop travel or warn person or danger it shall be unlawful to drive over, injure or remove them.

(t) The police of the city, and the sheriff and under sheriff and deputy sheriff of Anderson County, are hereby designated as traffic officers and they may at any time direct the travel over any intersection and travelers must obey their directions and signals which shall take precedence over any other provisions of this Ordinance.

(u) The provisions of this Ordinance relating to speed and rights of way shall not apply to physicians or surgeons, or police or fire wagons, or ambulances when answering an emergency call demanding excessive speed, but to be relieved from said provisions, the horn, bell or other signal shall be constantly sounded while exceeding said speed limit, or taking the right of way from others and care commensurate with conditions shall be exercised.

(v) No person operating a self-propelled vehicle shall permit the motors or same to operate in such a manner as to visibly emit an unduly great amount of steam, smoke or products of combustion from exhaust pipes or openings.

PEDESTRIANS

SECTION 5.

(a) In crossing streets pedestrians shall not go diagonally across any intersection but must follow as nearly as possible the lines projected from the sidewalks, and the police may mark off crossing for pedestrians and when that is done they must keep within the lines marked off.

(b) Persons must not stop or stand in the driveway of any street except for necessary temporary purposes.

(c) Neither vehicles nor pedestrians have any right of way over the other but both must endeavor not to unnecessarily obstruct or impede the other in the use of the street.

(d) No one shall ride or jump upon or into any vehicle without the consent of the driver, nor shall any person hang onto any vehicle whatsoever.

(e) No person not the owner or operator thereof, shall enter without permission of the owner, or hamper, meddle or interfere with or use any motor vehicle or start or attempt to start the machinery thereof while standing still, or puncture or otherwise mutilate the tires or mark/otherwise deface the body or any other portion thereof, or take or remove from said automobile or other motor vehicle any part or portion of the machinery, tools, or equipment, or throw, cast or hurl any stone, rock, glass or other missile at any automobile, or motor vehicle or the occupant thereof; provided however, that for the purpose of getting away from the place standing, a driver may move another vehicle which is so placed that he cannot get his vehicle out.

SIGNALS.

SECTION 6.

(a) When about to turn, stop or back, and before doing so, the driver must indicate with his hand or other suitable signal his intention in that respect. The hand extended out and upward shall indicate a turn to the right, out and downward a turn to the left and straight out, a stop, and waving the hand up and down will indicate an intention to back. Any other signal that clearly indicates the driver's purpose may be used.

STOPPING AND PARKING.

SECTION 7.

(a) Vehicles shall be parked as near the right curb and parallel with it as possible except in the congested district and no car or other vehicle shall be parked on the left side of any street and no vehicle shall be parked within fifteen (15) feet of any sidewalk crossing or within twenty (20) feet of any fire hydrant

or gasoline or air filling device or in front of any entrance to a fire department curb or other public building or place in such position as to prevent another vehicle from using such entrance or from moving up close and parallel with the curb in front of such entrance nor shall any vehicle be parked or left standing so as to prevent another vehicle already stopped from moving away.

(b) The Police may mark off parking spaces and when that is done vehicles shall be parked in these spaces and not elsewhere.

(c) Between the hours of midnight and sunrise no vehicle shall be parked for a longer period than two hours in any one place in any street or alley and while parked shall be equipped and exhibit a signal light visible to drivers of passing vehicles for a distance of fifty (50) feet which light shall be kept burning during such time that said vehicle is so parked.

(d) No vehicle shall stop with its left side to the curb and no vehicle in the congested district, except merchants, deliveries, unless in an emergency, shall stop in the street or at the curb for more than five minutes except in the places and manner hereinafter provided. *Merchants deliveries may stop in the street or at the curb not to exceed twenty minutes.*

(e) The police may mark off parking spaces in the congested district and when this is done vehicles shall be parked in those spaces and within the lines of those spaces and not elsewhere within such district.

ACCIDENTS.

SECTION 8.

(a) In case of accident or collision causing injury to any person or property, the person driving or operating the vehicle shall stop immediately and give his name, residence and any other information demanded, together with the license number of his motor vehicle to the injured person or persons or to others present, and in case of death or serious injury by such accident, he shall immediately report the same to the mayor, police, or to the police judge of said city.

DRIVING AGE.

SECTION 9.

(a) No person under 14 years of age or under the influence of intoxicating liquor or of any stupefying or exhilarating drug shall drive or operate any motor vehicle within said city, and it shall be unlawful for any owner or person in charge of any motor vehicle to permit a person under 14 years of age to drive or operate the vehicle.

SPEED REGULATIONS.

SECTION 10.

(a) No person shall operate or drive any vehicle or animal on any street, alley, park or other public place in said city, at a speed greater than 10 miles per hour at street intersections, railroad crossings, or past schools in school term, and at no greater speed than 15 miles per hour at other places within the congested district, and at no greater speed than 25 miles per hour at other places; and in emerging across any sidewalk from any alley, stable, garage, filling station or other place off the street the speed shall not be greater than 3 miles per hour, and no vehicle shall be operated or driven at any time at a rate of speed greater than is reasonable and proper, having due regard for the traffic upon and use of the street, nor at a rate of speed such as to

endanger the life or limb of any person or the property of another.

STOP SIGNALS.

SECTION 11.

(a) Appropriate stop signals shall be placed in streets near intersections as directed by the Board of Commissioners of the city of Garnett and the drivers of all vehicles upon approaching such stop signals shall bring said vehicle to a complete stop at or near such signal before entering such intersection.

Section 12

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PENALTIES.

Section 12. It shall be unlawful for any person to operate or run any traction engine, road engine, hauling engine, farm tractor, trailer, steam roller, automobile, truck motor or other power vehicle, the face or wheels of which are fitted with flanges, ribs, clamps, cleats, lugs or spikes or are steel, iron or other metal upon any ~~paved~~ paved street or alley in the city of Garnett, Kansas, except with planks under the wheels sufficient to keep them from contact with the pavement.

Section 13. That for the purpose of protecting the paved streets and crossings of streets of the city of Garnett, Kansas, it shall be necessary for any person, persons, firm or corporation, before moving or causing to be moved any house, barn or other building, or any iron or metal safe, or any heavy object or material on any paved streets of said city, or across any of the crossings of any streets in said city, to first notify the street commissioner of his or their intention to move such house or safe or such heavy object or material, and shall then follow strictly any and all orders and directions of said street commissioner which in his discretion he shall deem necessary to properly protect such pavement and crossings from injury, and it shall be unlawful for any person, persons, firm or corporation to move or cause to be moved any house, barn or other building, or iron or metal safe or any heavy object or material on any paved street or across any of the crossings of any street without first notifying said street commissioner of such intention to move such house, barn or other building, or iron or metal safe or such other heavy object or material and following such ~~orders~~ directions and orders of such street commissioner, as above provided.

Section 14. It shall be unlawful for more than two persons to ride on the seat beside the driver or for any driver or chauffer to permit more than two persons to sit on the seat beside the driver of any automobile tractor or truck while the same is being driven or run in the city of Garnett.

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PENALTIES.

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SECTION ~~13~~ ~~14~~ 15

(A) Any person who shall violate any of the rules, regulations or provisions of this Ordinance, or who shall operate or drive any vehicle without the same being equipped as required by Section 5 of this Ordinance, or who shall operate or drive any vehicle with or using equipment prohibited by this Ordinance, or who shall be guilty of any other reckless driving or any act or conduct likely to result in injury to persons, or property or who shall purposely, willfully, or carelessly drive any vehicle against another vehicle or person shall, upon conviction, be fined in any sum not less than \$1.00 and not more than \$100.00 for the first offense, and for the second and subsequent offenses, shall upon conviction, be punished by a fine of not less than \$10.00 and not more than \$100.00 or by imprisonment in the county jail of Anderson County, Kansas, not more than ninety days, or by both such fine and imprisonment.

(b) It shall be unlawful for any person being twice convicted under this Ordinance other than Section 5, to drive any motor vehicle on any street, alley, or other public place in the city of Garnett, Kansas, within three months after said second conviction, and on conviction thereof, shall be fined in the sum not less than \$25.00 and not more than \$100.00 or imprisonment in the county jail of Anderson County, Kansas, not to exceed ninety days or both such fine and imprisonment.

(c) Any person convicted shall be committed to jail till the fine and costs assessed against him are paid.

REPEAL.

SECTION 16 That Ordinances No. 671 and 708 and all ordinances or parts of Ordinances in conflict herewith are hereby repealed. Passed and approved this 20th. day of December, 1926.

Wm. Gandy
MAYOR

ATTEST:

Geo. L. Crum
CITY CLERK

Section 17. This ordinance shall take effect and be in force ten days after its final passage and its approval by the mayor and after its publication in the Garnett Review.

I, Geo. L. Crum, city clerk of the city of Garnett, Kansas, do hereby certify that the foregoing is a true and correct copy of an ordinance passed by the mayor and board of commissioners of the city of Garnett, Kansas, at a regular meeting of said board held on the 20th. day of December, 1926, and the vote on the final passage of said ordinance may be found on page 240 of the journal of the proceedings of said board on said date.

Geo. L. Crum
City Clerk (Seal)