

ORDINANCE NO. 140

AN ORDINANCE regulating the movement, standing and parking of vehicles and pedestrians, establishing speed limits for vehicles, designating through streets, requiring certain equipment to be installed upon vehicles, providing penalties for the violation thereof, providing the effective date of the ordinance, and repealing ordinances in conflict therewith.

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dubach, Louisiana, in regular session convened:

SECTION 1. DEFINITIONS.

Whenever in this ordinance the following terms are used, they shall have the meanings ascribed to them in this section:

VEHICLE. The word "vehicle" shall include every wagon, carriage, bus, automobile, truck, motorcycle, bicycle, and every draft or riding animal, whether driven, ridden or led, and every other article used in conveying passengers or freight. Any animal attached to any vehicle shall with such vehicle constitute one vehicle.

MOTOR VEHICLE. Every vehicle propelled by other than muscular power.

PEDESTRIAN. Any person afoot.

STREET. Every avenue, boulevard, highway, lane, alley, path and place in the Town of Dubach, Louisiana, used by or laid out for the public use of vehicles.

PARKING. The standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the fire department, police department, and ambulance and other emergency vehicles as may be so designated and authorized by the Town Marshal of the Town of Dubach, Louisiana.

TRAFFIC. All pedestrians and vehicles while using any street for the purpose of travel.

SIDEWALK. That portion of the street between the curb lines and the adjacent property lines.

CROSSWALK. That portion of the street included within the prolongation of the curb and property lines at intersections of any other portion of the street which has been marked for crossing for the use of pedestrians.

OFFICIAL TRAFFIC SIGNALS. All signals not inconsistent with this ordinance placed or erected by authority of an official or officials having jurisdiction for the purpose of directing, warning, or regulating traffic.

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TOWN OR TOWN OF DUBACH. Town of Dubach, Louisiana.

POLICE DEPARTMENT. Town Marshal of the Town of Dubach, Louisiana.

FIRE DEPARTMENT. Fire Department of the Town of Dubach, Louisiana.

TOWN MARSHAL. The Town Marshal of the Town of Dubach, Louisiana.

SECTION 2. AUTHORITY OF POLICE.

(A) POLICE TO DIRECT TRAFFIC. It shall be the duty of the Police Department to enforce this ordinance and any and all other ordinances pertaining to traffic. Officials of the Police Department are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this ordinance, provided that in the event of fire or other emergency, to expedite traffic or to safeguard pedestrians, officers of the Police Department and Fire Department may direct traffic as conditions require, notwithstanding the provisions of this ordinance.

(B) TOWN MARSHAL AUTHORIZED TO ADOPT EMERGENCY REGULATIONS. The Town Marshal is hereby empowered to make and enforce regulations necessary to make effective the provisions of this ordinance and to make and enforce temporary regulations to cover emergencies or special conditions.

(C) OBEDIENCE TO POLICE. It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal, or direction of a police officer.

(D) WHO MUST OBEY TRAFFIC REGULATIONS. The provisions of this ordinance shall apply to the drivers of all vehicles and to all pedestrians, including the drivers of vehicles owned and used in the service of the United States Government, this State, Parish and Town, and including those propelling pushcarts and riding bicycles. It shall be unlawful for any driver to violate any of the provisions of this ordinance except as otherwise permitted herein.

(E) EXEMPTIONS TO AUTHORIZED EMERGENCY VEHICLES. The provisions of this ordinance regulating movement, parking and standing of vehicles shall not apply to authorized emergency vehicles while the drivers are operating the same in an emergency in the necessary performance of public duties, except that such drivers shall not drive through an intersection where the traffic signal is exhibiting the signal "red" or "Stop" without first slowing down and ascertaining that such can be done safely and without endangering those who might be in, or entering such intersection, and provided further that drivers of ambulances shall in no event drive same at a speed in excess of forty miles per hour. However, this exemption shall not protect any of the drivers of vehicles of the fire and police departments, and of ambulances from the consequences of reckless disregard of the safety of others.

(F) RESPONSIBILITY FOR IMPARTIAL ENFORCEMENT ON TOWN MARSHAL. The Town Marshal shall be responsible for and see that the provisions of this ordinance are enforced impartially and without any favoritism whatever. All alleged violators thereof shall be arrested and given a "summons" or "ticket" by the officer making the arrest, which summons or ticket shall be provided for that purpose.

SECTION 3. TRAFFIC SIGNS AND SIGNALS.

(A) SIGNS, AUTHORITY TO ERECT.

(1) The Town Marshal is hereby authorized, and as to those signs and signals required herein, directed, to place and maintain or cause

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SECTION 3. TRAFFIC SIGNS AND SIGNALS.

(A) SIGNS, AUTHORITY TO ERECT.

(1) The Town Marshal is hereby authorized, and as to those signs and signals required herein, directed, to place and maintain or cause to be placed and maintained all official traffic signs and signals. All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type throughout the Town.

(2) No provision of this ordinance for which signs are required shall be enforced against any alleged violator if, at the time and place of the alleged violation, the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(B) OBEDIENCE TO TRAFFIC SIGNS. All traffic shall obey the instructions of official traffic signs and signals placed in accordance with the provisions of this ordinance unless otherwise directed by a police officer.

(C) TRAFFIC CONTROL SIGNALS.

(1) Whenever traffic at an intersection is controlled by traffic control signals exhibiting colored lights, or the words "go", "caution", and "stop", said lights shall indicate as follows, except as hereinafter otherwise provided:

(a) GREEN OR "GO". All traffic facing the signal may proceed, except that vehicular traffic shall yield the right of way to pedestrians lawfully within the intersection at the time such signal was exhibited.

(b) YELLOW OR "CAUTION". When shown alone following the green or "go", traffic facing the signal shall stop before entering the intersection unless so close to same that a stop cannot be made in safety.

(c) RED OR "STOP". Traffic facing the signal shall stop before entering the intersection and shall remain standing until green or "go" is shown alone, unless so close to same that a stop cannot be made in safety.

(d) YELLOW OR "CAUTION" BURNING CONTINUOUSLY OR FLASHING INTERMITTENTLY. The traffic from all directions entering an intersection where the yellow or caution light is burning continuously or flashing intermittently shall slow down before entering such intersection and ascertain that it can be entered or crossed in safety and without danger to pedestrian or other traffic in or crossing such intersection.

(e) RED OR "STOP" BURNING OR FLASHING INTERMITTENTLY. The traffic from all directions facing a traffic control signal light which displays a red or "stop" light which is flashing intermittently shall stop before entering the intersection and shall remain standing until it has been ascertained that the intersection can be entered or crossed in safety and without danger to pedestrian or other traffic in, crossing, or approaching the intersection.

(f) Drivers of vehicles intending to turn to the right at an intersection where traffic is controlled by traffic control signals may proceed to make a right turn on a red or "stop" light, but only after having come to a complete stop prior to entry into the intersection, after ascertaining that the right turn may be made safely without danger to vehicular or pedestrian traffic in, crossing, or approaching the intersection on the intersecting street, and after having yielded the right of way to pedestrians crossing any street in the intersection. If the driver of a vehicle which made a right turn on a red or "stop" light, as above provided, is involved in an accident with another moving vehicle or with a pedestrian in or within fifty (50) feet of said intersection, the fact of the happening of said accident shall be prima facie evidence that said driver did not stop his vehicle before entering said intersection and ascertain that the right turn could be made in safety as aforesaid. It shall be competent,

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on the intersecting street, and pedestrians crossing any street in the intersection. If the driver of a vehicle which made a right turn on a red or "stop" light, as above provided, is involved in an accident with another moving vehicle or with a pedestrian in or within fifty (50) feet of said intersection, the fact of the happening of said accident shall be prima facie evidence that said driver did not stop his vehicle before entering said intersection and ascertain that the right turn could be made in safety as aforesaid. It shall be competent, however, for the driver involved in any such accident to show that such stop was made.

In all other cases, drivers intending to turn at an intersection where traffic is controlled by traffic control signals shall proceed to make the turn with proper care to avoid accidents or injuries to pedestrians, and only upon the green or "go" signal unless otherwise directed by a police officer or by an official traffic sign.

(D) DISPLAY OF UNAUTHORIZED SIGNS OR SIGNALS PROHIBITED.

It shall be unlawful for any person to place, maintain, or display any sign, signal, or device which is an imitation or is not an official traffic sign or signal. Every such prohibited sign, signal or device is hereby declared to be a nuisance, and the Town Marshal is hereby directed to remove same and to cause same to be removed without notice.

(E) INTERFERENCE WITH SIGNS OR SIGNALS PROHIBITED. It shall

be unlawful for any person to wilfully deface, injure, move, obstruct, or interfere with any official traffic sign or signal.

(F) TOWN MARSHAL TO DESIGNATE CROSS-WALKS AND LANES OF TRAFFIC.

(1) The Town Marshal is hereby authorized to establish and designate by appropriate means cross-walks at intersections and other places where, in his opinion, such are needed to properly care for and protect pedestrians.

(2) The Town Marshal is authorized to mark lanes for traffic on street pavements at such places as he may deem advisable in accordance with the provisions of this Section, and to erect proper signs to enforce same.

(3) The Town Marshal is hereby further empowered to determine those intersections at which drivers shall not make a left turn and he shall place proper signs at such intersections.

SECTION 4. PEDESTRIAN RIGHTS AND DUTIES.

(A) PEDESTRIANS' RIGHT OF WAY.

(1) The driver of any vehicle shall yield the right of way to a pedestrian crossing the street at any marked cross-walk or within any unmarked cross-walk or within any unmarked cross-walk at the end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic controlled lights.

(2) Whenever any vehicle has stopped at a marked cross-walk or at an intersection to permit a pedestrian to cross the street, it shall be unlawful for the driver of any other vehicle approaching from the rear to overtake and pass any such stopped vehicle.

(3) Every pedestrian crossing a street at any point other than within a marked or unmarked cross-walk shall yield the right of way to vehicles.

(4) At intersections where traffic is controlled by traffic control signals or police officers, drivers of vehicles shall yield the right of way to pedestrians crossing or those who have started across the street on a green or "go" signal, and in all other cases pedestrians shall yield the right of way to vehicles lawfully proceeding directly ahead on a green or "go" signal, thus pedestrians who see a "go" signal and start across the street shall be permitted to cross even though the signal may have changed before he gets completely across, and such vehicle shall not proceed across the path of such pedestrian.



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(5) Where the driver of a vehicle makes a right or left turn at an intersection which is controlled by a traffic control signal or by a police officer, such driver shall yield the right of way to pedestrians crossing his lane of traffic who have started across said intersection on a green or "go" signal.

(B) PEDESTRIANS TO USE RIGHT HALF OF CROSS-WALKS. Pedestrians shall move wherever practicable upon the right half of cross-walks.

(C) STANDING IN STREET TO SOLICIT RIDES. It shall be unlawful for any person to stand in a street for the purpose of soliciting a ride from the operator of any vehicle.



SECTION 5. STOPPING, STANDING AND PARKING.

(A) PROHIBITED. It shall be unlawful for the driver of a vehicle to stop, stand, or park the same at any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic controlled sign or signal.

- (1) Within an intersection.
- (2) On a cross-walk.
- (3) Within five feet of a fire hydrant.
- (4) In front of a driveway.
- (5) On a sidewalk.
- (6) In the rear or in front of any fire station as shown by signs erected by the police or fire department.
- (7) On any two-way street except when said vehicle is parked on its (driver's) right hand side.
- (8) Closer to another vehicle than two feet.
- (9) Within six hundred (600) feet of any fire truck, or other vehicle of the fire department, while stopped answering an alarm, provided that this shall not apply to vehicles in use by any person duly authorized to attend any fire.

(B) PUSHING PARKED VEHICLE OUT INTO RESTRICTED AREA PROHIBITED. It shall be unlawful for the driver of any vehicle to push or move another vehicle into an alley or driveway, loading and unloading zone, or other area where parking is prohibited and leave the same in such restricted area. If such a driver finds it necessary in order to move his vehicle from its parked position to move a vehicle into a restricted area, he shall immediately after getting his car out into the street from its parked position return and move the vehicle to the position in which it was parked prior to his action in moving, and thus not leave it in the restricted area. ✓

SECTION 6. PARKING WITH MOTOR RUNNING. No motor vehicle shall be parked on any street with the motor running unless said vehicle is attended by some person who may lawfully operate same and who is prepared to do so.

SECTION 7. PARKING FOR OVER TEN HOURS. It shall be unlawful for any person to park any vehicle on any street for a longer period than ten (10) consecutive hours. ✓

SECTION 8. PARALLEL AND ANGULAR PARKING.

(A) Except when otherwise indicated by appropriate traffic signs, the driver of a vehicle shall not stop, stand or park such vehicle in a street other than parallel with the edge of the street, heading in the direction of traffic, with both of the curb side wheels within eighteen inches of the edge of said curb, except where parking at an angle, to economize parking space, has been authorized by the police department

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(B) The Town Marshal shall cause appropriate lines to be painted, or cause appropriate signs to be placed and maintained, indicating the streets whereon angular parking shall be permitted. On all other streets, except where appropriate signs indicate that no parking whatever is allowed, only parallel parking shall be permitted.

(C) A driver parking a vehicle on a street where angular parking is permitted shall park his vehicle within the lines or signs on the street denoting a parking space and with one front wheel resting against the street curb.