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CHAPTER III – MOTOR VEHICLES AND BICYCLES

ARTICLE I – TRAFFIC REGULATIONS

SECTION 3-101: TERMS DEFINED

The words and phrases used in this ordinance pertaining to motor vehicles and traffic regulations shall be construed as defined in R.R.S. Neb. 1943, as now existing or as hereafter amended, unless the context otherwise requires; and, if not so defined, the common meaning of such words and phrases shall prevail.

SECTION 3-102: TRUCK ROUTES

The Village Board may, by resolution, designate certain streets in the Village restricting traffic for vehicles weighing in excess of ten tons, and it shall be unlawful for persons operating such vehicles to travel on other streets than those designated for such ve-

hicles unless to pick up or deliver goods, wares or merchandise, and in that event, the operator of such vehicle shall return to such truck routes as soon as possible in traveling through or about the Village. The Village Board shall cause notices to be posted or shall erect signs indicating the streets so designated as restricted routes.

SECTION 3-103: TURNING; HAND SIGNALS

A signal of intention to turn right or left shall be given continuously during not less than the last 50 feet traveled by the vehicle before turning. The signals herein required shall be given either by means of the hand and arm, or by a signal device of a type approved by the Department of Roads.

SECTION 3-104: TURNING; GENERALLY

Vehicles turning to the right into an intersecting street shall approach such intersection in the lane of traffic nearest to the right-hand side of the street, and must turn the corner as near the right-hand curb as possible to keep between the curb to the right and the center of the intersection of the two streets. The driver of a vehicle intending to turn to the left shall approach such center line of the street, and in turning shall pass as near as possible to the center of the intersection, passing as closely as practicable to the right thereof before turning such vehicle to the left. For the purposes of this section, the center of the intersection shall mean the meeting point of the medial lines of the streets intersecting one another.

SECTION 3-105: TURNING; CAUTION

The operator of a vehicle shall, before stopping, turning or changing the course of such vehicle, see that there is sufficient space to make such movement in safety. If any pedestrian might be affected by such movement, the operator shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement, he/she shall give some other unmistakable signal to the drivers of all other vehicles of his/her intention to make such movement.

SECTION 3-106: RIGHT OF WAY; GENERALLY

1. When two vehicles approach or enter an intersection 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 when the paths of such vehicles intersect and there is danger of a collision, unless otherwise directed by a law enforcement officer stationed at the intersection. The driver of a vehicle intending to turn to the left within an intersection, or into an alley, private road or driveway 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. The driver of a vehicle entering a village street from a private road or drive shall yield the right of way to all vehicles approaching on such streets.

2. The driver of a vehicle on any street shall yield the right of way to a pedestrian crossing such street within any clearly marked crosswalk or at any regular pedestrian crossing at the end of a block where the movement of traffic is being regulated by traffic officers or traffic direction devices. Every pedestrian crossing a street at any point other than a pedestrian crossing, crosswalk or intersection shall yield the right of way to vehicles upon the street.

SECTION 3-107: RIGHT OF WAY; EMERGENCY VEHICLES

Upon the approach of any authorized emergency vehicles which are operated on official business and the drivers thereof sound an audible signal by bell, siren or whistle, every vehicle within one block of the route of such emergency vehicle shall immediately stop, except at the time they are on or crossing a street intersection, in which event such vehicle shall drive clear of the street intersection and then stop. Every vehicle along the route of such emergency vehicle shall immediately move to a position as near the right-hand curb as possible and remain there until such authorized emergency vehicle or vehicles have passed.

SECTION 3-108: POSITION OF VEHICLE ON ROADWAY; GENERALLY

Upon all streets and highways of sufficient width, the driver of a vehicle shall drive the same on the right half of the roadway. In passing or meeting other vehicles, drivers shall give each other at least one-half of the main traveled portion of the roadway.

SECTION 3-109: BACKING

Before backing, ample warning shall be given, and while backing, unceasing vigilance must be exercised so as not to injure those behind. The driver of a parked vehicle about to back shall give moving vehicles the right of way.

SECTION 3-110: DRIVING IN SIDEWALK SPACE

No motor vehicle, including motorcycles or scooters, shall be driven on any sidewalk or within any sidewalk space, except a permanent or temporary driveway.

SECTION 3-111: STOPS; MANDATORY

All vehicles, before crossing a sidewalk or emerging from a garage, alley, filling station or other place, shall come to a complete stop, and after giving sufficient warning shall proceed slowly and with extreme caution while crossing such sidewalk or leaving such garage, alley, filling station or other place. The term "slowly" shall be construed to mean such rate of speed as is reasonable and proper under the circumstances and the condition of the street and traffic thereon.

SECTION 3-112: STOP SIGNS

Every person operating any vehicle shall, upon approaching any stop sign erected in accordance with ordinances prescribed heretofore, cause such vehicle to come to a complete stop with the front wheels of said vehicle parallel with said stop sign.

SECTION 3-113: SIGNS, SIGNALS

The Village Board may, by resolution, provide for the placing of stop signs, restricted parking or other signs, signals, standards or mechanical devices in any street or alley for the purpose of regulating or prohibiting traffic and parking thereon. Such resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall

be effective. It shall be unlawful for any person to fail, neglect or refuse to comply with such regulation or prohibition. The placement of such regulatory sign shall be prima facie evidence of the restricting resolution.

SECTION 3-114: SPEED ZONES

Unless otherwise designated by the Board of Trustees, no person shall drive a vehicle on the streets of the Village at a speed in excess of the following maximum limits: 25 miles per hour in any residential or commercial district; and 20 miles per hour in any business district.

SECTION 3-115: QUIET ZONES; UNNECESSARY NOISE

All streets or portions thereof lying within 300 feet of any hospital, nursing home or school, which have been declared to be "quiet zones" by the Village Board, shall be respected as such by all drivers. No driver of any vehicle shall, within such zones, make any unnecessary noise or sound the horn or other warning device of such vehicle except in an emergency. It shall be unlawful for any person in any part of said village to make, or cause to be made, any unnecessary noise with any signal device, or to use the same except as a road signal.

SECTION 3-116: RECKLESS DRIVING

Any person who drives a motor vehicle in such manner as to indicate an indifferent or wanton disregard for the safety of persons or property shall be deemed to be guilty of reckless driving, and shall be punished by a fine of not more than \$100.00.

SECTION 3-117: RECKLESS DRIVING; WILLFUL

Any person who drives a motor vehicle in such a manner as to indicate a willful disregard for the safety of persons or property shall be deemed to be guilty of willful reckless driving, and shall be punished by a fine of not more than \$100.00 and shall be ordered by the court as part of the judgment of conviction not to drive any motor vehicle for any purpose for a period of not less than 30 days nor more than one year from the date of payment of such fine.

SECTION 3-118: NEGLIGENT DRIVING

Any person who drives any vehicle in such a manner as to indicate the absence of care, prudence and forethought as under the circumstances duty requires should be exercised, or who drives any vehicle which is engaged in a race upon a street, shall be deemed guilty of negligent driving, and shall be punished by a fine of not more than \$100.00.

SECTION 3-119: FUNERAL PROCESSIONS

No vehicle, except police vehicles or Fire Department vehicles when responding to emergency calls or orders, ambulances responding to emergency calls, or vehicles carrying United States mail, shall be driven through a funeral procession or cortege except with the permission of a police officer.

SECTION 3-120: GLASS; POINTED OBJECTS

No person shall throw, cast, lay or place upon any street any thorns, nails, tacks, glass, bottles, window glass or other articles made of or containing glass, and in case of an accident causing the breaking of any glass upon any street, the owner or person in charge of such glass or the person responsible for such breakage shall at once remove or cause the same to be removed from the street.

SECTION 3-121: SIGNS; DEFACING OR INTERFERING WITH

It shall be unlawful for any person to willfully deface, injure, remove, obstruct or interfere with any official traffic sign or signal.

SECTION 3-122: SPEED; ELECTRONIC DETECTOR

1. The speed of any motor vehicle within the Village may be determined by the use of radio microwaves or other electronic device. The results of such determinations shall be accepted as prima facie evidence of the speed of such motor vehicle in any court or legal proceedings where the speed of the motor vehicle is at issue.

2. The driver of any such motor vehicle may be arrested without a warrant under the authority herein granted if the arresting officer is in uniform or displays his/her badge of authority; provided that such officer shall have observed the recording of the speed of such motor vehicle by the radio microwaves or other electronic device, or received a radio message from the officer who observed the speed of the motor vehicle recorded by the radio microwaves or other electronic device. In the event of an arrest based on such a message, such radio message must have been dispatched immediately after the speed of the motor vehicle was recorded and must include a description of the vehicle and the recorded speed.

SECTION 3-123: COASTING PROHIBITED

The driver of a motor vehicle, when traveling upon a down grade upon any street, shall not coast with the gears of the vehicle in neutral.

SECTION 3-124: EMERGENCY; REGULATIONS

The village chairman is hereby empowered to make and enforce temporary regulations to cover emergencies.

SECTION 3-125: POLICE; ENFORCEMENTS

The village Police or Sheriff's Department is hereby authorized, empowered and ordered to exercise all powers and duties with relation to the management of street traffic and, in the interest of public safety, health and convenience, to direct, control, stop, restrict, regulate, temporarily divert, or exclude the movement of pedestrian, animal and vehicular traffic of every kind in streets, parks and on bridges. The driver of any vehicle shall stop upon the signal of any police officer.

SECTION 3-126: POLICE; REFUSAL TO OBEY

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal

or direction of a police officer.

SECTION 3-127: POLICE; TRAFFIC OFFICERS

The Village Board or the village police may at any time detail officers, to be known as "traffic officers," at street intersections. All traffic officers shall be vested with the authority to regulate and control traffic at the intersections to which they are assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order or signal of any such traffic officer, notwithstanding the directive of a stop sign or signal device which may have been placed at any such intersection.

ARTICLE II - ABANDONED VEHICLES

SECTION 3-201: TERMS DEFINED

1. No person, firm, partnership, association, corporation or organization of any kind shall abandon any vehicle, as defined by Nebraska statutes, within the Village of Pleasanton. A motor vehicle shall be deemed to be an abandoned vehicle if left unattended:

- A. If left unattended, with no license plates or valid "In Transit" stickers issued pursuant to the Motor Vehicle Registration Act affixed thereto, for more than six hours on any public property;
- B. If left unattended for more than 24 hours on any public property, except a portion thereof on which parking is legally permitted;
- C. If left unattended for more than 48 hours, after the parking of such vehicle has become illegal, if left on a portion of any public property on which parking is legally permitted;
- D. If left unattended for more than seven days on private property if left initially without permission of the owner, or after permission of the owner is terminated;
- E. If left for more than 30 days in the custody of a law enforcement agency after the agency has sent a letter to the last-registered owner under Neb. Rev. Stat. §60-1903.01; or
- F. If removed from private property by the Village pursuant to a municipal ordinance.

(Am. 12-8-09, Ord. No. 2009-O-8)

2. No person in charge or control of any private property, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperating, wrecked, junked or discarded vehicle to remain on such property longer than seven continuous days. Any vehicle described in this paragraph shall be deemed to be an abandoned vehicle for purposes of this article.

3. For purposes of this article, "public property" shall mean (1) any public right of way, street, highway, alley, park or other village-owned property, and (2) any privately owned property which is not included within the definition of public property. A vehicle in an enclosed building, appropriate storage pound or depository licensed by the Village, or owned and being restored or repaired with satisfactory progress being shown by the controller of the real property where said vehicle is located, is specifically hereby

excluded from this section.

SECTION 3-202: ENFORCEMENT

The Village Board shall remove or cause to be removed any abandoned vehicle. Such vehicle shall be impounded until lawfully claimed or disposed of, as provided in Section 3-204 hereafter; provided, any such abandoned vehicle which is located on private property shall not be removed or impounded until the Board has given written notice of intent to remove said abandoned vehicle ten days prior thereto to the property owner upon whose property said abandoned vehicle is located. The Board or its duly authorized agent may enter upon private property at all reasonable hours for the purpose of inspecting such abandoned vehicle, posting notice thereon and/or removing or impounding such abandoned vehicle. It shall be unlawful for any person to prevent the Board or its agent(s) from entering on private property for the purpose of carrying out his/her/their duties. Neither the owner, lessee, occupant of the premises from which any abandoned vehicle shall be removed nor the Village shall be liable for any loss or damage to such abandoned vehicle which occurs during its removal, while in the possession of the Village, or as a result of any subsequent disposition.

SECTION 3-203: NOTICE

1. Except for vehicles automatically becoming the property of the Village as set forth in Section 3-205 hereunder, the Board shall make an inquiry concerning the last registered owner of such abandoned vehicle as follows:

- A. Abandoned vehicles with numbered plates affixed: to the jurisdiction which issued said plates; or
- B. Abandoned vehicles with no numbered plates affixed: to the Department of Motor Vehicles.

2. The Village Board shall notify the last registered owner, if any, that the vehicle in question has been recovered as an abandoned vehicle and that, if unclaimed, it will be sold at public auction after five days from the date that such notice was mailed. If the agency described in Subsections (1)(A) or (B) of this section also notifies the Board that a lien or mortgage exists, such notice shall also be sent to the lien holder or mortgagee. Any person claiming such vehicle shall be required to pay the cost of its removal and storage. In the event the owner does not appear within the time prescribed herein or in the event that the owner cannot be determined, such abandoned vehicle shall be disposed of as hereinafter provided.

SECTION 3-204: DISPOSITION

The Village Board shall sell said abandoned vehicle at public auction to the highest bidder within 60 days from the date that title to an abandoned vehicle is vested in the Village as provided in Section 3-205 hereafter. Such sale and the time and place thereof shall be advertised for one week in a newspaper of general circulation in the Village. Any proceeds from the sale of an abandoned vehicle, less any expenses incurred by the Village, shall be held by the Village without interest for the benefit of the owner of such abandoned vehicle for a period of two years. If not claimed within such two-year period, such proceeds shall be paid into the General Fund of the Village.

SECTION 3-205: TRANSFER OF TITLE

If an abandoned vehicle at the time of abandonment has no numbered plates of the current year affixed and is of a wholesale value of \$100.00 or less, taking into consideration the vehicle's condition as determined by the Village Board, title shall immediately vest in the Village and the Board is not required to follow Section 3-203 herein. With respect to those abandoned vehicles governed by Section 3-203 herein, title to such vehicles, if unclaimed, shall vest in the Village five days from the date the notice referred to therein is mailed or, if the last registered owner cannot be determined, when notice of that fact is received by the Board. Upon the sale of an abandoned vehicle at auction, the Village shall furnish the purchaser with the requisite affidavit to provide to the county clerk where the vehicle was last registered that said vehicle was abandoned and became the property of the Village prior to the sale.

SECTION 3-206: PENAL PROVISIONS

Any person who violates any of the prohibitions or provisions of this article shall be deemed guilty of a misdemeanor. Penalties for such violation shall not exceed \$500.00 and/or imprisonment for a time not to exceed three months, in the discretion of the court.

ARTICLE III – VEHICLE OPERATION

SECTION 3-301: MUFFLER

Every motor vehicle operated within this village shall be provided with a muffler in good working order to prevent excessive or unusual noise. It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon any street; provided, the provisions of this section shall not apply to authorized emergency vehicles.

SECTION 3-302: LOADS; PROJECTING

When any vehicle shall be loaded in such a manner that any portion of the load extends more than four feet beyond the rear of the bed or the body of such vehicle, a red flag by day and a red light after sunset shall be affixed at the furthest projection of such load.

SECTION 3-303: LOADS; SPILLING

All vehicles used for carrying coal, earth, sand, gravel, rock, asphalt, tar or any similar substance shall be so constructed as to prevent the sifting or spilling of any of the contents.

ARTICLE IV – PARKING

SECTION 3-401: VEHICLES; UNATTENDED

No person having control or charge of a motor vehicle shall allow such vehicle to stand unattended without first effectively setting the brakes thereon and, when standing upon any grade, without turning the front wheels of such vehicle to the curb or side of the street. The driver of a motor vehicle, when traveling upon a down grade upon any

street, shall not coast with the gears of the vehicle in neutral.

SECTION 3-402: PARKING; GENERALLY

No person shall park any vehicle, or approach the curb with a vehicle, except when headed in the direction of the traffic. Vehicles, when parked, shall stand parallel with and adjacent to the curb, in such manner as to have both right wheels within 12 inches of the curb and so as to leave at least four feet between the vehicle so parked and any other parked vehicle. Where stalls are designated either on the curb or pavement, vehicles shall be parked within such stalls. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking. No person shall park a vehicle so as to obstruct a private driveway, or drive, for any period of time. No person shall park a vehicle, or permit it to stand, within 15 feet in either direction from the entrance of any fire station.

SECTION 3-403: PARKING; AREAS

The Village Board, may, by resolution, set aside and post any street, alley, public way or portion thereof for the parking of any particular kind or class of vehicle, and where the parking of vehicles has been prohibited by resolution, no vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of said street, alley, public way or portion thereof, longer than a period of time necessary to load and unload freight or passengers. The placement of no parking or restricted parking signs shall be prima facie evidence of the restricting resolution.

SECTION 3-404: SEMI TRUCK PARKING PROHIBITED

No semi trucks and trailers shall be parked in a residential area within the corporate limits of the Village, except for purposes of loading and unloading, in which event such parking may be permitted for only so long as is necessary to complete loading and unloading operation.

SECTION 3-405: OBSTRUCTING ALLEY

No vehicle, while parked, shall have any portion thereof projecting into any alley entrance.

SECTION 3-406: ALLEYS; LOADING AND UNLOADING

No vehicle shall be parked in any alley except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of one half hour. Every vehicle while loading or unloading in any alley shall be parked in such manner as will cause the least obstruction possible to traffic in such alley.

SECTION 3-407: UNLOADING; FREIGHT VEHICLES

Vehicles of an overall length of less than 20 feet, including load, while discharging freight may back to the curb, but shall occupy as little of the street as possible.

SECTION 3-408: FIRE HYDRANTS

No vehicle shall be parked within 15 feet in either direction of any fire hydrant. The curb

space within such area of 15 feet in either direction of such fire hydrant shall be painted red to indicate such prohibition.

SECTION 3-409: SCHOOLS, FIRE STATIONS, THEATERS

The Village Board may, by resolution, prohibit the parking or stopping of vehicles at the curb on streets directly in front of any entrance to a school house, school building, fire station or theater, and such curbs adjacent to the entrance of said school house, school building, fire station or theater shall be painted red to indicate such prohibition.

SECTION 3-410: CURB INTERSECTIONS

No vehicle shall be parked or left standing for any purpose near the intersection of curb lines where said curb lines are painted red to indicate such prohibition.

SECTION 3-411: OBSTRUCTING TRAFFIC

No vehicle shall, except in case of an accident or emergency, stop within any street intersection, alley entrance or any such location as to obstruct any street, crosswalk or alley entrance.

SECTION 3-412: CURBS, PAINTED

It shall be the duty of the Village Board to cause the curb space to be painted and keep the same painted as in this article provided. No person, firm or corporation shall paint the curb of any street, or in any manner set aside or attempt to prevent the parking of vehicles in any street or part thereof, except at such places where the parking of vehicles is prohibited by the provisions of this article. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the Village through its proper officers, at the direction of the Village Board.

SECTION 3-413: DISPLAY OR REPAIR OF VEHICLES

It shall be unlawful for any person to park upon any street, alley or public place within this village any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle, or race the motor of same, while standing on the public streets or alleys of this village, excepting in case of breakdown or other emergency requiring same. No person or employee connected with a garage or repair shop shall use sidewalks, streets or alleys in the vicinity of such garage or shop for the purpose of working on automobiles or vehicles of any description.

SECTION 3-414: EMERGENCY VEHICLES

The provisions of this article regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this article, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties.

SECTION 3-415: HANDICAPPED OR DISABLED PERSONS, HANDICAPPED PARKING INFRACTION; DEFINED

For the purposes of Sections 3-416 through 3-418, the following definitions shall apply:

1. "Handicapped or disabled person" shall mean any individual with a severe visual or physical impairment which limits personal mobility and results in an inability to travel unassisted more than 200 feet without the use of a wheelchair, crutch, walker, or prosthetic, orthotic, or other assistant device, any individual whose personal mobility is limited as a result of respiratory problems, any individual who has a cardiac condition to the extent that his/her functional limitations are classified in severity as being Class III or Class IV, according to a standard set by the American Heart Association, and any individual who has permanently lost all or substantially all the use of one or more limbs.

2. "Temporarily handicapped or disabled person" shall mean any handicapped or disabled person whose personal mobility is expected to be limited in such a manner for no longer than one year.

3. "Handicapped parking infraction" shall mean the violation of any section of this article regulating the use of parking spaces designated for use by handicapped or disabled persons.

SECTION 3-416: HANDICAPPED OR DISABLED PERSONS; DESIGNATION OF ONSTREET PARKING SPACES; DISPLAY OF PERMITS

1. The Village Board may designate parking spaces for the exclusive use of (A) handicapped or disabled persons whose vehicles display the distinguishing license plates issued to handicapped or disabled persons pursuant to Section 60311.14, R.S. Neb., (B) handicapped or disabled persons whose vehicles display a distinguishing license plate issued to a handicapped or disabled person by another state, (C) such other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the Village Board, whose vehicles display the identification specified in state statutes, and (D) such other motor vehicles, as certified by the Village Board, which display such identification. All such permits shall be displayed in the operator's area in a conspicuous location upon the vehicle's dashboard or its equivalent so as to be clearly visible through the front windshield.

2. Whenever the Village Board so designates a parking space, it shall be indicated by a sign which is in conformance with the 19th Edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways* issued by the Federal Highway Administration. In addition to such sign, the space may also be indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space.

SECTION 3-417: HANDICAPPED OR DISABLED PERSONS; DESIGNATION OF OFFSTREET PARKING SPACES

The Village Board and any person in lawful possession of any offstreet parking facility may designate stalls or spaces in such facility for the exclusive use of (1) handicapped or disabled persons whose vehicles display the distinguishing license plates issued to such individuals pursuant to Section 60-311.14, R.S. Neb., (2) such other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the Village Board, whose vehicles display the identification specified in Section 3-421, and (3) such other motor vehicles, as certified by the Village Board, which display such identification. Such designation shall be made by posting immediately adjacent to and visible from each stall or space a sign which is in conformance with the 19th Edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways* issued by the

Federal Highway Administration.

SECTION 3-418: HANDICAPPED OR DISABLED PERSONS; REMOVAL OF UNAUTHORIZED VEHICLE; PENALTY

1. The owner or person in lawful possession of an offstreet parking facility, after notifying the Police or Sheriff's Department, and the Village providing onstreet parking or owning, operating or providing an offstreet parking facility, may cause the removal, from a stall or space designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicles not displaying proper identification or the distinguishing license plates specified in this article if there is posted immediately adjacent to and visible from such stall or other space a sign which clearly and conspicuously states the area so designated as a tow-in zone.

2. Anyone parking in any onstreet parking space which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of such persons, or in any so exclusively designated parking space in any offstreet parking facility, without properly displaying the proper identification or when the handicapped or disabled person to whom or for whom the license plate or permit is issued is not being transported shall be guilty of a handicapped parking infraction as defined in Section 3-415, and shall be subject to the penalties and procedures set forth in this article. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for such violation and shall be guilty and subject to the penalty provided for in this chapter.

3. In the case of a privately owned offstreet parking facility, the owner or person in lawful possession of such facility shall inform the Village of a violation of this section prior to taking any action pursuant to this section.

ARTICLE V – SPORT AND UTILITY VEHICLES

SECTION 3-501: BICYCLE OPERATION

1. No person shall ride or propel a bicycle on a street or other public highway of this village with another person on the handlebars or in any position in front of the operator.

2. No bicycle shall be ridden faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard to the safety of the operator and any other persons upon the streets and public highways.

3. Persons riding bicycles shall observe all traffic signs and stop at all stop signs.

4. No bicycle shall be permitted on any street or other public highway from one-half hour after sunset and one-half hour before sunrise without a headlight, visible under normal atmospheric conditions from the front thereof for not less than 500 feet, firmly attached to such bicycle and properly lighted, nor without a yellow or red light reflector attached to and visible 500 feet from the rear thereof. The said headlight shall emit a clear, white light.

5. No person shall ride or propel a bicycle upon any street or other public highway abreast of more than one other person riding or propelling a bicycle.

6. Every person riding or propelling a bicycle upon any street or other public highway shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for all turns, ride at the right hand side of the street or highway and pass to the left when passing overtaken vehicles and individuals that are slower moving, and shall pass vehicles to the right when meeting.

7. No person shall park a bicycle on any sidewalk unless a bicycle stand is located on said sidewalk.

8. No person shall operate a bicycle on the sidewalks within the business district.

SECTION 3-502: CLINGING TO MOTOR VEHICLE

No person riding upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle shall attach the same or himself/herself to any moving vehicle upon any roadway, and it shall be unlawful for the driver of any vehicle to suffer or permit any person traveling upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle to cling to or attach himself/herself or his/her bicycle or roller skates to such vehicle so driven and operated by him/her.

SECTION 3-503: MOTORCYCLE; LIGHTS

No person shall ride a motorcycle upon the streets, alleys or highways from one-half hour after sunset to one-half hour before sunrise, unless the same shall be equipped with at least one and not more than two headlights, plainly visible from the front and with a light on the rear exhibiting a red light visible under normal atmospheric conditions from a distance of at least 500 feet to the rear thereof; provided, said lamps shall comply with the requirements and limitations of the statutes of the State of Nebraska.

SECTION 3-504: MOTORCYCLE; RIDING TANDEM

No person operating a motorcycle shall carry another person in front of the operator.

SECTION 3-505: MOPEDS; TRAFFIC REGULATIONS APPLICABLE

Any person who rides a moped upon a roadway shall have all the rights and shall be subject to all of the duties applicable to the driver of a motor vehicle under the Nebraska Rules of the Road except for special moped regulations and rules and except for those provisions of the rules which by their nature can have no application. Such regulations applicable to mopeds shall apply whenever a moped is operated upon any street, alley or highway within the Village or upon any path set aside by the Department of Roads or the Village for the use of mopeds. Notwithstanding any established maximum speed limits in excess of 25 miles per hour, no person shall operate any moped at a speed in excess of 30 miles per hour.

SECTION 3-506: ALL-TERRAIN VEHICLES

A. An all-terrain vehicle may be operated within the Village when such operation occurs only between the hours of sunrise and sunset. The headlight and taillight of the

vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above the ground attached to the rear of such vehicle. Such flag shall be triangular in shape with an area of not less than 30 square inches and shall be Day-Glo in color.

B. Any person operating an all-terrain vehicle on a highway or village street:

1. Shall have a valid Class O operator's license or a farm permit as provided in Neb. Rev. Stat Sec. 60-4,126;
2. Shall not operate such vehicle at a speed in excess of 30 miles per hour or the posted speed limit, whichever is less; and
3. Shall have liability insurance coverage for the all-terrain vehicle. The person operating the all-terrain vehicle shall provide proof of such insurance coverage to any law enforcement officer requesting such proof within five days of such a request.

C. All-terrain vehicles may be operated without complying with these provisions in parades which have been authorized by the Village.
(Neb. Rev. Stat. §60-6,356) (Adopted 4-8-08, Ord. No. 2008-O-3)

ARTICLE VI – PENAL PROVISION

SECTION 3-601: VIOLATION; PENALTY

Any person, firm, association or corporation violating any of the provisions of Chapter III hereof for which no other penalty is imposed shall, upon conviction, be deemed guilty of a misdemeanor, and be fined in any sum not exceeding that permitted by Nebraska law for violation of a municipal ordinance.