**Chapter 24**

**TRAFFIC**

**ARTICLE I**

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*(Revised 11/07)*

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*(Revised 11/13)*

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 *(Revised 12/05)*

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**ARTICLE II**

**OPERATION OF VEHICLES**

**DIVISION 1**

**GENERALLY**

**Sec. 24-209. Display of state motor vehicle license plate required.**

From and after the date of the passage and approval of this Ordinance it shall be unlawful for any person to operate a motor vehicle upon the public streets or alleys of the City of Potosi, Missouri without then and there having properly attached to his or her vehicle, a valid state license plate.

 Any person violating the terms and provisions of this Ordinance shall be punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00) or shall be sentenced to serve not more than ninety (90) days in the city jail or shall be punished by both such fine and imprisonment. (Ord. 426, §1; Ord. 479, §3)

**Sec. 24-210. State operator's license required.**

(a) It shall be unlawful for any person to operate a motor vehicle upon the public streets or alleys of the City of Potosi, Missouri, without then and there having in his possession a valid Missouri operator’s license.

 (b) It shall be unlawful for any owner or possessor of a motor vehicle to permit any person without a valid Missouri operator’s license to operate that motor vehicle upon the public streets and alleys of the City of Potosi, Missouri.

 (c) Any person violating the terms and provisions of this section shall be punished upon conviction by a fine, not less than $5.00 nor more than $500.00, or by confinement for not more than 90 days, or by both fine and confinement. (Ord. 375, §1; Ord. 479, §3; Ord. 825, §1)

**Sec. 24-211. Obstructing the passage of emergency vehicles.**

(a) ***Definitions -*** The term *"emergency vehicle"* or *"emergency vehicles"* shall be construed to mean and the same are hereby defined to mean any fire apparatus, when the same is being used to answer a call to a fire, ambulance or other vehicle whatsoever, of the nature used in emergencies.

 (b) ***Obstruction, or following emergency vehicle within certain limits prohibited******-*** From and after the effective date of this Ordinance it shall be unlawful for any person to operate a motor vehicle, not an emergency vehicle within the meaning of this Ordinance, in such a manner as to block, obstruct or render more difficult, the passage of any emergency vehicle when such emergency vehicle is being operated in answer to an emergency call.

**STATE LAW REFERENCES:**

**Driving on right side of highway, RSMo. §304.015; passing regulations, RSMo. §304.016; distance between vehicles, RSMo. §304.017; right of way at intersections, RSMo. §304.351.**

*(Revised 3/03)*

When the operator of a motor vehicle shall hear the siren or other warning device of an emergency vehicle, or shall see a flashing red light on such vehicle, or shall see such emergency vehicle approaching at a high rate of speed, the operator of any motor vehicle shall immediately drive the vehicle which he is operating as near to the right edge of the road, or street, as practicable and shall there bring the same to a full and complete stop and shall cause the same to remain motionless until the said emergency vehicle shall have passed at least four hundred feet beyond the point where said motor vehicle is stopped; and the operator of such motor vehicle shall at no time cause the same to be in motion within four hundred feet of an emergency vehicle.

 (c) ***Ordinance not to apply to volunteer firemen -*** The provisions of this Ordinance shall not be construed to apply to members of the fire department of the City of Potosi when operating their motor vehicles in answer to an emergency call.

 (d) ***Violation of ordinance, punishment -*** Any person who shall violate the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00). (Ord. 329, §§1-4; Ord. 479, §3)

**Sec. 24-212. Operation of vehicles upon fire hose prohibited.**

(a) ***Hoses defined -*** The words *"hoses"* or *"fire hoses"* are used in this Ordinance shall mean any flexible pipe, of whatever composition, used by the fire department of the City of Potosi for conveying water from a hydrant to a fire.

 (b) ***Operation of vehicles upon hose forbidden -*** From and after the passage of this Ordinance it shall be unlawful for any person to so operate his vehicle, within the city limits of the City of Potosi, Missouri, as to cause or permit the wheels or tires of said vehicle to come into contact with, or to pass upon or over, any fire hose which may have been spread by the fire department, whether the said hose shall be in use or not, without first having been directed so to do by some qualified member of the fire department of said city, or by the city marshal or one of his deputies.

 (c) ***Penalties for violation -*** Any person who shall violate the terms of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00). (Ord. 326, §§1-3)

**Sec. 24-213. Qualifications relating to operators of Motorcycles.**

 (a) ***Definition:*** The term *"motorcycle"* as used in this ordinance is hereby defined to mean every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

 (b) ***Protective headgear for operators of and passengers on motorcycles:*** Every person operating or riding as a passenger on any motorcycle upon any highway, street or alley of the city shall wear protective headgear at all times the vehicle is in motion.

 The protective headgear required herein shall meet reasonable standards and specifications established by the director of revenue of the state.

 *(Revised 3/03)*

 (c) ***Display of state license plates on motorcycles***: It shall be unlawful for any person to operate a motorcycle upon the public streets, avenues, boulevards, parkways, or alleys, or state highways in the city without having displayed the valid license plates or temporary permit issued by the director of motor vehicle department of the state, entirely un-obscured, unobstructed, and all parts thereof plainly visible and kept reasonably clean, and so fastened as not to swing. Such plate shall be displayed on the rear of the motorcycle. It shall be unlawful for any person to park upon a public street a motorcycle which does not have attached thereto a valid state license plate which has been issued by the proper authority for use on such motorcycle.

 (d) ***Operator's or chauffeur's license required of person operating a motorcycle:*** No person shall operate or be in control of a motorcycle within the City of Potosi without having first been issued a valid operator's or chauffeur's license, as provided in Chapter 302 of the Revised Statutes of the State of Missouri, which shows that he has successfully passed an examination for the operation of a motorcycle as prescribed by Section 302.020 RSMo.

 (e) ***Operation of motorcycle by person with suspended or revoked operator's license - Prohibited***: It shall be unlawful for any person to operate a motorcycle upon any city street or highway while their operator's license has been suspended or revoked by the Department of Revenue pursuant to Chapter 302 of the Revised Statutes of the State of Missouri.

 (f) ***Permitting an unlicensed person to operate a motorcycle - Prohibited***:

(1) No person shall authorize or knowingly permit a motorcycle or other two or three wheeled self-propelled vehicle owned by him or under his control to be driven upon a highway by any person whose operator's or chauffeur's license does not indicate that the person has passed the examination for the operation of a motorcycle or has been issued an instruction permit thereof.

(2) No person shall operate a motorcycle with an instruction permit or chauffer's or operator's license issued to another person.

(3) No person shall cause or knowingly permit his child or ward under the age of sixteen (16) years to drive a motorcycle upon any highway when such minor is not authorized to legally operate a motorcycle.

(4) No person shall authorize or knowingly permit a motorcycle owned by him or under his control to be driven upon any highway by any person who is not authorized by law to operate a motorcycle.

 (g) All sections or ordinances in conflict herewith are hereby repealed.

 (h) Any person, firm or corporation violating the provisions of this ordinance shall be guilty of an infraction and, upon conviction thereof, shall be fined not less than Five Dollars ($5.00) nor more than Five Hundred Dollars ($500.00) (Ord. 596, §§1-8.)

**Sec. 24-214. Motorcycles and all other two and three wheel motor vehicles subject to all traffic regulations.**

 (a) ***Obedience to traffic laws***: Motorcycles and all other two and three wheel motor vehicles shall be operated on the traveled portion of the roadway and shall be subject to all laws and regulations pertaining to equipment, registration and operation as applicable by the laws of this State and City, except as to those provisions of laws which by their nature can have no application.

 (b) ***Certain self-propelled vehicles prohibited or restricted on City streets and locations***:

1. *Prohibited on City Streets, Exceptions.* No person shall operate a utility vehicle (UV), all-terrain vehicle (ATV) as defined in Section 300.010 RSMo., or any trail bike, motorcycles, golf carts or other self-propelled vehicles manufactured for off-road use and not eligible for registration, upon the alleys, streets or highways of this City, except as follows:
2. UVs and golf carts owned and operated by a governmental entity for official use;
3. UVs and golf carts operated for agricultural purposes or industrial on-premises purposes between official sunrise and sunset on the day of operation; or unless equipped with proper lighting;
4. UVs and golf carts whose operators carry a special permit issued by the City.
	1. The City Clerk shall prepare an application form for the special permit and charge a fee of fifteen dollars ($15.00) for each permit. This permit shall be renewed annually and the fee paid on or before the 31st of January for each succeeding calendar year. Permits are individual and may not be transferred. The sum of one dollar ($1.00) shall be charged by the clerk for the issuance of a duplicate permit.
	2. UV or golf cart operated by handicapped persons shall be for short distances, for occasional use and only on City roads and alleys, and not on any numbered state highways. Persons qualifying as handicapped will not be required to have passed an examination for the operation of a motorcycle and the City permit fee will be waived.
	3. Persons applying for this permit must be of at least 21 years of age.
5. A “Utility Vehicle” is defined as any motorized vehicle manufactured and used exclusively for off highway use, which is 63 inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes, has a non-straddle seat and a steering wheel, and which is commonly referred to as a side by side.
6. A qualified golf cart is defined in Section 304.034 RSMo., as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty miles per hour.
7. *Operation within streams or rivers and Parks not permitted – exceptions:* No person shall operate any off-road vehicle within any stream or river in this City, except that off-road vehicles may be operated within waterways which flow entirely within the boundaries of real property owned or leased by off-road vehicle operator, or upon which the operator has written permission to be upon. No person shall operate any off-road vehicle within a City Park.
8. *Licenses, Insurance, Speed limit and Flag and other Equipment Required:*
9. A person operating a UV or golf cart upon an alley, street or county highway pursuant to this Section shall be required to have on his/her person, both a City

 *(Revised 07/16)*

permit and a valid operator’s or chauffeur’s driver’s license, but shall not be required to have passed a motorcycle license examination.

1. Operators of all motor vehicles, including UVs and golf carts permitted under this Section, shall exhibit a valid insurance identification card displaying current liability insurance coverage for said vehicle, as required under Section 303.024 RSMo., upon demand of any police officer, while that officer is engaged in the performance of his or her duties.
2. A person operating a UV or golf cart upon an alley, street or county highway pursuant to this Section shall not operate such vehicle at a speed in excess of the posted speed limit or thirty (30) miles per hour, whichever is less.
3. When operated on an alley, street or county highway pursuant to this Section, all UVs and golf carts shall have a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle and equilateral triangular emblem to be mounted on the rear of such vehicle at least two (2) feet above the roadway. The emblem shall be constructed of substantial material with a fluorescent yellow-orange finish and a reflective, red border at least one inch in width. Each side of the emblem shall measure at least ten (10) inches and be day-glow in color.
4. No person operating a UV upon an alley, street or county highway pursuant to this Section shall do so without a securely fastened safety helmet on the head of the individual operating said UV.
5. No person operating a UV or golf cart upon an alley, street or county highway pursuant to this Section shall do so without a lighted headlamp and taillight in operation at all times.
6. No person shall operate a UV or golf cart upon any alley street or county highway except between the hours of sunrise and sunset.
7. No person operating a UV or golf cart upon an alley, street or county highway pursuant to this Section without brakes in good working order and equipped with a functioning muffler and a United States Forest Service qualified spark arrester.
8. All traffic laws relating to the operation of other motor vehicles apply to the operators of UVs and golf carts as permitted by this ordinance.
9. Any passenger carried in any UV or golf cart must be in an appropriate bench or individual seat with a restraining device.
10. *Violations – separate offense – punishment:* Violation of this ordinance is a misdemeanor and a separate offense and is in addition to any other violation of ordinance relating to the operation of the vehicles, vehicle equipment, vehicle insurance and public safety, which can be filed separately. Violations will be punished upon conviction by a fine of not less than $5.00 and not more than $500.00 or by confinement in jail for not more than 90 days, or both fine and confinement, and in addition, forfeiture of the City permit and ineligibility for permit for one year.
11. *Limitation to Permit use:* The obtaining of the Permit described in subsection b (iii) of this Section is a permit to operate a UV or golf cart only upon the alleys, streets and highways owned and maintained by the City of Potosi, Missouri, and does not apply and gives no immunity or defense to any such operation upon US highways, State or county roads or highways, or highways, streets, roads or alleys maintained by any other governmental entity than the City of Potosi.

(Ord. 1029; Ord. 1041; Ord. 1109)

 (c) ***Ordinance in conflict***: All sections or ordinances in conflict herewith are hereby repealed.

*(Revised 07/16)*

 (d) ***Penalty***: Any person, firm or corporation violating the provisions of this ordinance shall be guilty of an infraction and, upon conviction thereof, shall be fined not less than Five Dollars ($5.00) nor more than Five Hundred Dollars ($500.00). (Ord. 593, §§1-4.)

**Sec. 24-215. Tailgating or following another vehicle too close for safety - Prohibited.**

 (a) All vehicles, when in operation on the public streets, shall be operated so as to remain a reasonably safe and prudent distance behind any other vehicle immediately in front thereof and proceeding in the same direction, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadways.

 (b) All sections or ordinances in conflict herewith are hereby repealed.

 (c) Any person, firm or corporation violating the provisions of this ordinance shall be guilty of an infraction and, upon conviction thereof, shall be fined not less than Five Dollars ($5.00) nor more than Five Hundred Dollars ($500.00) . (Ord. 592, §§1-3.)

**Sec. 24-216. Proof of liability insurance on any motor vehicle operating within the city - Required.**

 (a) ***Insurance identification card required*** - An insurance identification card shall be carried in any motor vehicle operating within the city, certifying that the vehicle is adequately covered by liability insurance in accordance with Chapter 303 of the Revised Statutes of the State of Missouri.

 This provision shall not apply to those vehicles which do not require a registered Missouri license plate.

 The operator of an insured motor vehicle shall exhibit the insurance identification card on the demand of any peace officer who lawfully stops such operator while that officer is engaged in the performance of the duties of his office. If the operator fails to exhibit an insurance identification card, the officer shall notify the Director of Revenue of the State of Missouri.

 A motor vehicle liability insurance policy, a motor vehicle liability insurance

binder, or receipt which contains the policy information required by this ordinance, shall be satisfactory evidence of insurance in lieu of an insurance identification card.

 (b) ***Penalty*** - Any person, firm or corporation violating the provisions of this ordinance shall be guilty of an infraction and, upon conviction thereof, shall be fined not less than Five Dollars ($5.00) nor more than Five Hundred Dollars ($500.00) .

 (c) ***Ordinances in conflict*** - All sections or ordinances in conflict herewith are hereby repealed.

 (d) ***Effective date*** - This ordinance shall be in full force and effect as of July 1, 1987. (Ord. 594, §§1-4.)

 *(Revised 11/11)*

**Sec. 24-217. Valid state operator's license required.**

 (a) Any resident or nonresident whose license, right or privilege to operate a motor vehicle in this state has been suspended or revoked as provided in Sections 302.010 to 302.540, Revised Statutes of the State of Missouri, shall not operate a motor vehicle within the corporate limits of the City of Potosi under a license, permit or registration certificate issued by any other jurisdiction, or otherwise, during such suspension or after such revocation until a new license is obtained when and as permitted under Missouri State Statutes;

 (b) Any person violating the terms and provisions of this ordinance shall be punished by a fine of not less than five dollars ($5.00), nor more than five hundred dollars ($500.00), or shall be sentenced to serve not more than ninety (90) days in the city jail, or shall be punished by both such fine and imprisonment. (Ord. 626, §1)

**ARTICLE II**

**OPERATION OF VEHICLES**

**DIVISION 2. DRIVING WHILE INTOXICATED**

**OR IN DRUGGED CONDITION**

**Sec. 24-218. Driving while intoxicated.**

 (a) No person shall operate a motor vehicle while in an intoxicated condition or while under the influence of intoxicants or drugs.

 (b) A person shall be presumed to be legally intoxicated if the person shall have a blood alcohol content in equal to or in excess of eight one hundredth of one percent (0.08%) by weight of alcohol in the blood. The percentage of blood alcohol content shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person’s blood, breath, saliva or urine. (Ord. 501, §1(a); Ord. 690, §1; Ord. 794, §1)

**Sec. 24-219. Excessive blood alcohol content.**

 (a) No person shall drive a motor vehicle when the person has eight one hundredths of one percent or more by weight of alcohol in the blood. The percentage of blood alcohol content shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person’s blood, breath, saliva or urine.

 (b) No person under the age of twenty-one years shall drive a motor vehicle when the person has two one hundredths of one percent or more by weight of alcohol in the blood. The percentage of blood alcohol content shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person’s blood, breath, saliva or urine. (Ord. 501, §1(b); Ord. 794, §2; Ord. 962, §1)

**Sec. 24-220. Persons under influence of drugs.**

 No person who is an habitual user of, or who is under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle shall drive a vehicle within this city. The fact that any person charged with a violation of this section is or has been entitled to use such drug the laws of this state shall not constitute a defense against any charge of violating this section. (Ord. 690, §2)

**Sec. 24-221. Penalties for violations.**

Any person violating any of the provisions of this Article shall be punished by a fine in an amount not to exceed five hundred dollars ($500.00), or imprisonment for a period not to exceed ninety (90) days, or both such fine and imprisonment.. (Ord. 501, §2; Ord. 690, §3.)

**CROSS REFERENCE:**

**Public intoxication and public drinking prohibited, §3-4.**

**STATE LAW REFERENCES:**

**Driving a motor vehicle while intoxicated, RSMo. §§577.010, 577.012.**

*(Revised 04/08)*

**ARTICLE II**

**OPERATION OF VEHICLES**

**DIVISION 3. OPEN ALCOHOLIC CONTAINER LAW**

**Sec. 24-222. Transportation of open alcoholic beverage container.**

 No person shall knowingly transport in any vehicle operating upon a public highway, street or alley any alcoholic beverage except in the original container which shall not have been opened and the seal upon which shall not have been broken and from which the original cap or cork shall not have been removed, unless the opened container be in the rear trunk or rear compartment, which shall include the spare tire compartment or any outside compartment which is not accessible to the driver or any other person in such vehicle while it is in motion. In the case of a pickup truck, station wagon, hatchback, or other similar vehicle, the area behind the last upright seat shall not be considered accessible to the driver or any other person. (Ord. 615, §1)

**Sec. 24-223. Consumption of alcoholic beverage in moving vehicle prohibited.**

 No driver of a motor vehicle shall allow any alcoholic beverage to be consumed while in a moving vehicle, as defined in this Division, nor shall any person consumer any alcoholic beverage while in a moving motor vehicle. (Ord. 615, §2)

**Sec. 24-224. Consumption by passengers on chartered transit.**

 Nothing in this Division shall be construed as to prohibit the otherwise legal consumption of alcoholic beverages by passengers on a privately or publicly owned transit authority that has been chartered and is not being utilized for conveyance of the general public where the operation and control of such conveyance is by a person not in possession of or with ready access to such alcoholic beverage. (Ord. 615, §3)

**Sec. 24-225. Recreational vehicles.**

 This section shall not apply to the living quarters of a recreational motor vehicle or while on the grounds of a privately owned residence. (Ord. 615, §4; Ord. 630, §2)

**Sec. 24-226. Possession of open alcoholic container prohibited - Where.\***

 It shall be unlawful for any person to be in possession of an alcoholic beverage in an open container when upon or in a public highway, street, alley, public park, public square or public place, except upon premises having a temporary outdoor or fair liquor permit, or upon the attached lot of a private residence possessed by said person, or a person who is a guest of the possessor of the residence. (Ord. 615, §5; Ord. 770, §1)

**CROSS REFERENCE:**

**\* Open beer or liquor containers prohibited, Sec. 19-18.**

*(Revised 12/00)*

**Sec. 24-227. Penalty.**

 Any person found guilty of violating the provisions of this Division shall be guilty of a misdemeanor and shall be fined not less than $5.00 or more than $500.00 or incarcerated in the city/county jail for a period not to exceed 30 days or both fined and incarcerated. (Ord. 615, §6)

**Sec. 24-228. Public information and education.**

 This city shall initiate and develop a program of public information to provide an understanding of, and to insure compliance with, the provisions of this Division. (Ord. 615, §7)

**Sec. 24-229. Reserved.**

 *(Revised 12/00)*

**ARTICLE III**

**VEHICLE EQUIPMENT**

**Sec. 24-230. Vehicle equipment requirements - Generally.**

(a) ***Definition -*** The term *"motor vehicle"* as used in this Ordinance is hereby defined to mean any vehicle capable of carrying or conveying passengers and/or freight and whether for hire or private usage.

 (b) ***Failure to comply with requirements unlawful -*** In the exercise of the police power delegated to the City of Potosi by the constitution of the state of Missouri and for the public safety, it is hereby declared to be unlawful to operate a motor vehicle which fails to meet the requirements of this Ordinance as set forth below.

 (c) ***Brakes -*** Every motor vehicle, other than motorcycles, must be equipped with two sets of adequate brakes which are in good working order at all times.

 (d) ***Horn -*** Every motor vehicle must have a horn or whistle that can be heard at a reasonable distance by other vehicle operators or pedestrians.

 (e) ***Seat belts***

(1) ***Safety belts*** - Passenger vehicles, other than buses, manufactured after June 30, 1964, are required to be equipped with at least two sets of seat safety belts each for the front seat and back seat.

(2) ***Child restraints*** - It shall be unlawful for any person who is a resident of the State of Misouri to transport a child under the age of four years within the City of Potosi, Missouri, without having said child in a restrain system as set forth in Subsection (i) hereof:

(i) When any child under the age of four (4) years is transported in the front seat of a motor vehicle said child shall be restrained with a child passenger restraint system approved by the Missouri Department of Public Safety.

(ii) When any child under the age of four (4) years is transported in any seat other than the front seat of a motor vehicle, said child shall be restrained either by a child passenger restraint system approved by the Missouri Department of Public Safety or by the vehicle's seat belt.

(iii) This ordinance shall not apply to motor vehicles registered in another state or to a temporary substitute vehicle. The term temporary substitute vehicle as used herein shall mean any vehicle operated in the City of Potosi, Missouri, with temporary license plates issued by the State of Missouri.

(iv) This ordinance shall not apply to any public carrier for hire.

(v) Any person who violates the provisions of this ordinance relating to child restraints may be punished by a fine of not more than Twenty-five and no/100 Dollars ($25.00) and court costs.

 (f) ***Mirror and windshield wipers -*** Every motor vehicle which is loaded or constructed so that the driver cannot see to the rear of the vehicle must be equipped with an outside rear view mirror. All vehicles, except motorcycles, must be equipped with windshield wipers which are in good working order.

 (g) ***Vehicle inspection -*** All vehicles operated within the City of Potosi, Missouri, shall have passed Missouri's vehicle safety inspection test within the year and shall display proof of said inspection on the windshield.

 (h) ***Penalty -*** Upon conviction of the violation of this Ordinance, each violation shall be punishable by a fine of not less than five dollars ($5.00), nor more than five hundred dollars ($500.00). (Ord. 522, §§ 1-8; Ord. 479, § 3.; Ord. 597, §1.)

**Sec. 24-231. Wheels with a metal bearing surface restricted from paved or improved streets.**

(a) No motor vehicle equipped with metal tires, cleats, tracts, or other metal bearing surface in contact with the streets shall be operated over any streets in the City of Potosi, Missouri, which have been improved by a black-topped surface, oil surface or concrete surface.

 (b) Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than two dollars nor more than twenty-five dollars.

 (c) Any person violating the provisions of this Ordinance shall be liable to the city for all damage done to the surface of such streets. (Ord. 298, §§ 1-3.)

**Secs. 24-232. Muffler required within city limits.**

(a) It shall be unlawful for any person, firm or corporation to operate, or cause to be operated, any motor vehicle which is installed with a muffler cutout, and no vehicle shall be driven in such manner or condition that excessive or unnecessary noises shall be made by its machinery motor, signalling device or other parts. The motors of all motor vehicles operated in the City of Potosi shall be fitted with properly attached mufflers of such capacity and construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or be operated while such vehicle is in motion or the motor of such vehicle is operating. All muffler extensions or so-called "Hollywood mufflers" are hereby declared to be unlawful when mounted on any motor vehicle in use or operation in the City of Potosi.

**STATE LAW REFERENCE:**

**Lights on vehicles, RSMo. §§307.020 to 307.127.**

 (b) Any person, firm or corporation who shall operate a motor vehicle in the City of Potosi in violation of the terms of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than five nor more than fifty dollars. (Ord. 331, §1-2.)

**Sec. 24-233A. Head lamps required on moving vehicles.**

From and after the date of the approval and passage of this Section it shall be unlawful for any person to operate a motor vehicle upon the public streets or alleys of the City of Potosi, Missouri, without then and there having a properly lighted vehicle. (Ord. 427, §1; Ord. 479, §3; Ord. 689, §1.)

**Sec. 24-233B. Dimming of lights.\***

 Every person driving a motor vehicle equipped with multiple beam road lighting equipment, during the time when lighted lamps are required, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations. Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, or is within three hundred (300) feet to the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five (25) feet ahead, and in no case higher than a level of forty-two (42) inches above the level upon which the vehicle stands at a distance of seventy-five (75) feet ahead. (Ord. 689, §1)

**Sec. 24-233C. Penalty.**

 Any person violating the provisions of subsections (A) and (B) of this Section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00), by imprisonment in the city jail for a term not to exceed ninety days, or by both such fine and imprisonment. Provided, any person under the age of seventeen years shall be dealt with according to the Missouri Juvenile Code. (Ord. 689, §1

**Sec. 24-234. Rear lights required on moving vehicles.**

(a) From and after the date of the approval and passage of this Ordinance it shall be unlawful for any person to operate a motor vehicle upon the public streets or alleys of the City of Potosi, Missouri, without then and there having a properly lighted vehicle.

 (b) Any persons violating the terms and provisions of this Ordinance shall be punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00) or shall be sentenced to serve not more than ninety (90) days in the city jail or shall be punished by both such fine and imprisonment. (Ord. 428, §1; Ord. 479, §3.)

**STATE LAW REFERENCE:**

**\*Dimming of lights, RSMo. §307.070**

*(Revised 11/07)*

**Sec. 24-235. Seat belt use required.**

 (a) As used in this section, the term “passenger car” means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term “passenger car” shall not include motorcycles, motorized bicycles, motor tricycles and trucks with a licensed gross weight of twelve thousand pounds or more.

 (b) Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010 RSMo. on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements; except that, a child less than four years of age shall be protected as required in section 210.104, RSMo. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law.

 (c) Each driver of a motor vehicle transporting a child four years of age or more, but less than sixteen years of age, shall secure the child in a properly adjusted and fastened safety belt.

 (d) **Penalty**. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction fined the sum of ten ($10.00) dollars. (Ord. 852, §1; Ord. 957, §1)

 *(Revised 11/07)*

**ARTICLE IV**

**SPEED LIMITATIONS**

**Sec. 24-236. Speed limit signs and corporate limit signs of the city along State Highway No. 21.**

(a) There shall be erected, along State Highway No. 21, the following signs which shall be plainly visible to motorists driving in a southward direction:

(1) A city limit sign specifying the name and population of the City of Potosi and directing a speed limit of 60 mph which shall be placed at the corporate limit of the City of Potosi.

(2) A speed limit sign of 55 mph which shall be placed at a point 1,185 feet south of the city limit sign set out in paragraph (1) of subsection (a).

(3) A 45 mph speed limit sign placed at a point 800 feet south of the speed limit sign set out in paragraph (2) of subsection (a).

 (b) There shall be erected along State Highway No. 21 the following signs which shall be plainly visible to motorists driving in a northward direction:

(1) A city limit sign specifying the name and population of the City of Potosi and directing a speed limit of 45 mph placed at a point 300 feet south of the intersection of State Highway No. 21 and 8.

(2) A 55 mph speed limit sign placed at a point directly across the road from the sign described in subsection (a), paragraph (2).

(3) A 60 mph speed limit sign placed at a point directly across the road from the sign described in subsection (a), paragraph (s).

(4) A 65 mph day 60 mph night speed limit sign placed at a point directly across the road from the sign described in subsection (a), paragraph (1). (Ord. 461, §§1-2.)

**Sec. 24-237. Speed limit signs and corporate limit signs of the city along State Highway No. 8.**

There shall be erected a city limit sign specifying the name and population of the City of Potosi and directing a 45 mph speed limit on Highway 8 at a point 120 feet east of the intersection of State Highway No. 21 and 8 so as to be plainly visible to a westbound motorist. (Ord. 461, §3.)

**STATE LAW REFERENCE:**

**Authority of cities to establish speed regulations, RSMo. §304.120.**

**Sec. 24-238. Speed limit signs within the corporate limits of the city.**

(a) There shall be erected a series of speed limit signs within the corporate limits of the City of Potosi; each said sign shall have placed on it a certain speed limit which shall be the lawful maximum speed for any vehicle traveling on the route so signed; each said sign shall be placed as near as practicable to the intersection which is designated for each sign below.

 (b) The location of each said sign and the speed limit on each said sign is to be as follows:

 (1) ***East and West High Streets:***

(a) A 35 mph blanket sign is to be placed at the east city limit where it intersects Highway 8, facing the westbound lane of Highway 8.

 (b) A 30 mph sign is to be placed at the intersection of Highway 8 (East High Street) and Casey Street, facing the westbound lane of Highway 8.

 (c) A 25 mph sign is to be placed at the intersection of Highway 8 (East High Street) and Depot Street, facing the westbound lane of Highway 8.

 (d) A 30 mph sign is to be placed at the intersection of Highway 8 (West High Street) and Mine Street, facing the westbound lane of Highway 8.

 (e) A 35 mph sign is to be placed at the intersection of Highway 8 (West High Street) and Lead Street, facing the westbound lane of Highway 8.

 (f) A 35 mph blanket sign is to be placed at the west city limit where it intersects Highway 8, facing the eastbound lane of Highway 8.

 (g) A 30 mph sign is to be placed at the intersection of Highway 8 (West High Street) and Lead Street, facing the eastbound lane of Highway 8.

 (h) A 25 mph sign is to be placed at the intersection of Highway 8 (West High Street) and Mine Street, facing the eastbound lane of Highway 8.

 (i) A 30 mph sign is to be placed at the intersection of Highway 8 (East High Street) and Depot Street, facing the eastbound lane of Highway 8.

 (j) A 35 mph sign is to be placed at the intersection of Highway 8 (East High Street) and Casey Street, facing the eastbound lane of Highway 8.

 (2) ***Highway 185:***

 (a) A 35 mph blanket sign is to be placed at the west city limit where it intersects Highway 185, facing the eastbound lane of Highway 185.

 (b) A 35 mph sign is to be placed at the intersection of Highway 8 (West High Street) and Highway 185, facing the westbound lane of Highway 185.

 (3) ***Route E, North Missouri Street:***

(a) A 30 mph sign is to be placed at the intersection of Route E (North Missouri Street) and Breton Street, facing the northbound lane of Route E.

 (b) A 30 mph sign is to be placed at the intersection of Route E (North Missouri Street) and Wreath Street, facing the northbound lane of Route E.

 (c) A 30 mph sign is to be placed at the intersection of Route E (North Missouri Street) and Cordia Street, facing the northbound lane of Route E.

 (d) A 30 mph sign is to be placed at the intersection of Route E (North Missouri Street) and Casey Street, facing the northbound lane of Route E.

 (e) A 30 mph sign is to be placed at the intersection of Route E (North Missouri Street) and Blount Street, facing the southbound lane of Route E.

 (f) A 30 mph sign is to be placed at the intersection of Route E (North Missouri Street) and Casey Street, facing the southbound lane of Route E.

 (4) ***Route F, Richeson Road and Pine Street:***

(a) A 25 mph sign is to be placed at the intersection of Route F (Pine Street) and Clark Street, facing the northbound lane of Route F.

 (b) A 25 mph sign is to be placed at the intersection of Route F (Richeson Road) and Limestone Street, facing the northbound lane of Route F.

 (c) A 35 mph sign is to be placed at the intersection of Route F (Richeson Road) and Sunset Lane, facing the northbound lane of Route F.

 (d) A 35 mph sign is to be placed at the intersection of Route F (Richeson Road) and Nicholson Drive, facing the southbound lane of Route F.

 (e) A 25 mph sign is to be placed at the intersection of Route F (Richeson Road) and Sunset Lane, facing the southbound lane of Route F.

 (f) A 25 mph sign is to be placed at the intersection of Route F (Pine Street) and Limestone Street, facing the southbound lane of Route F.

 (5) ***Route P:***

(a) A 35 mph sign is to be placed at the intersection of Route P and Jefferson Street, facing the southbound lane of Route P.

 (b) A 35 mph sign is to be placed at the south city limit where it intersects Route P, facing the northbound lane of Route P. (Ord. 516, §§1-2; Ord. 521, §1)

*(Revised 3/03)*

**Sec. 24-239. Speed limit of 25 miles per hour set on all city streets not otherwise posted.**

 It shall be unlawful to operate any motor vehicle on the streets or highways of Potosi, Missouri, at a speed in excess of twenty-five miles per hour (25 mph), except as provided for in Article IV of Chapter 24 of the City Code of Ordinances or as posted by the Potosi Traffic Engineer. (Ord. 822, §4)

**Sec. 24-240. Punishments.**

 (a) Speeding in excess of five miles per hour over the posted or legal limit in violation of any provision of Chapter 24 of the City Code of Ordinances shall be a misdemeanor punishable upon conviction by a fine of not less than five dollars nor more than five hundred dollars, or by confinement in the City Jail or other place of confinement for not more than ninety days, or by both fine and confinement.

 (b)

(1) Speeding five miles per hour or less over the posted or legal limit in violation of any provision of Chapter 24 of the City Code of Ordinances shall be an infraction as is the comparable violation of Missouri Section 304.009 RSMo, (1996), punishable upon conviction by a fine not to exceed two hundred dollars.

(2) The Court Costs assessed for such violation shall be the same as assessed for misdemeanors under Subsection (a) above, and notwithstanding any provision of law to the contrary, a Court may issue a warrant for failure to appear for any speeding violation, including infractions.

(3) In conformity with Section 304.009 RSMo, no points shall be assessed pursuant to Section 302.302 RSMo., for any speeding violation which is over the posted or legal limit by five miles per hour or less. (Ord. 822, §5)

**Secs. 24-241 to 24-243. Reserved.**

 *(Revised 3/03)*

**ARTICLE V**

**ONE-WAY TRAFFIC**

**Sec. 24-244. One way traffic.**

(a) The following streets and alleys are designated as one way streets and alleys for vehicular traffic as described below:

(1) That portion of ***Missouri Street*** lying between High Street and Jefferson Street shall be for one way vehicular traffic only in a southwestwardly direction.

(2) That portion of ***Clinton Alley*** lying between North Missouri Street to the west rear of Lot 11 Block #2 of Dean’s Addition shall be for one way vehicular traffic only in a westwardly direction.

(3) That portion of ***Post Office Alley*** lying between Hickory Street and Laurel Street shall be for one way vehicular traffic only in a northerly direction.

 (b) Any person violating this Section by operating a vehicle over said portion of the street or alley in an opposite direction to that prescribed shall be guilty of a misdemeanor and shall be punished by a fine of not less than $5.00 nor more than a fine of $500.00.

 (Ord. 310, §§1-2; Ord. 956, §1)

**Sec. 24-245. Portions of street closed to vehicular traffic.**

 (a) The following streets and alleys are designated as closed for vehicular traffic and for pedestrian use only, as described below:

(1) The north one hundred (100) feet of the portion of ***Missouri Street*** lying between High Street and Jefferson Street.

 (b) Any person violating this Section by operating a vehicle over said portion of the street or alley shall be guilty of a misdemeanor and shall be punished by a fine of not less than $5.00 nor more than a fine of $500.00.

 (Ord. 958, §1)

**Secs. 24-246 to 24-249. Reserved.**

*(Revised 11/07)*

**ARTICLE VI**

**TURNING MOVEMENTS**

**Sec. 24-250. "U" turns prohibited at intersection of High Street and Missouri Street.**

(a) It shall be illegal and contrary to the purposes of this Ordinance for any vehicle of any type whatsoever, with the exception of special emergency necessities of proper emergency vehicles, to attempt to make, or to make and actually complete the course of a "U" turn at the intersection of High and Missouri Streets in the City of Potosi, Missouri.

 (b) "U" turn as used in this Ordinance is to mean a vehicle making a complete change of direction so that a map or charging of such a turn upon such a map would show as the letter "U", i.e., a complete directional turn.

 (c) It shall be unlawful for anyone to make a "U" turn, as specified above, or for anyone to proceed onward in his course contrary to the designations of the electric sign; and, whosoever violates said ordinance shall be deemed guilty of a misdemeanor. (Ord. 256, §§1-3.)

**Secs. 24-251 to 24-255. Reserved.**

**ARTICLE VII**

**STOP AND YIELD INTERSECTIONS**

**Sec. 24-256. Appointed street commissioner empowered to order erection of stop signs.**

 Such aldermen, elected and appointed as aforesaid, shall have, and he is hereby granted, the authority to order, and to cause to be, erected signs requiring the operators of motor vehicles to bring the said motor vehicles to a full and complete stop, at intersections in the city limits of the City of Potosi, as he shall direct. The employees of the street department are hereby directed and ordered to erect and to maintain proper stop signs at such places as the street commissioner shall direct pursuant to the terms of this Ordinance. (Ord. 345, §2.)

**Sec. 24-257. Penalties for failure to stop at stop signs.**

Any person who shall, following the erection of proper stop signs pursuant to the terms of this Ordinance, shall fail, refuse or neglect to bring the motor vehicle which he is operating to a full and complete stop where indicated by signs as required herein shall, upon conviction thereof, be punished by a fine of not less than five dollars ($5.00), nor more than twenty-five dollars ($25.00), or by imprisonment in the city jail for a term not to exceed thirty (30) days, or both such fine and imprisonment. (Ord. 345, §3.)

**Sec. 24-258. Penalties for failure to stop for school bus.**

 (a) The driver of a vehicle upon the streets of the City of Potosi, Missouri, upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children, and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion or until signaled by its driver to proceed.

 (b) The driver of a school bus in the process of loading or unloading students upon the street within the City of Potosi, Missouri, shall activate the mechanical and electrical signalling devices, in the manner prescribed by the state board of education, to communicate to drivers of other vehicles that students are loading or unloading.

 (c) The punishment for violation of this Section, upon conviction thereof, shall be punished by a fine of not less than five dollars ($5.00), nor more than fifty dollars ($50.00), or by imprisonment in the city jail for a term not to exceed thirty (30) days, or both such fine and imprisonment. (Ord. 613, §4.)

*(Revised 7/00)*

**Sec. 24-259. Stop signs at the intersections of Lead and College Streets and Trojan Drive.**

 That a permanent stop sign shall be erected at the intersections of Lead and College Streets and Trojan Drive, by the City, which said sign shall be regulated by the City Police pursuant to Article 24, Section 88B. (Ord. 753, §1)

**Secs. 24-260 to 24-262. Reserved.**

 *(Revised 7/00)*

**ARTICLE VIII**

**METHOD OF PARKING**

**Sec. 24-263. Parallel parking required.**

(a) No person shall stop any motor or other vehicle upon any street or public thoroughfare within the City of Potosi, Missouri without parking such motor or other vehicle in the manner required by this Ordinance and other ordinances of the City of Potosi, Missouri.

 (b) All motor or other vehicle hereafter parked or hitched along that part of High Street designated as Route No. 8 and Highway 21 from the intersection of Lawerence Street and High Street to the intersection of High Street and Mine Street to the intersection of Missouri Street and Breton Street, except that part of said streets so marked or designated as, "No Parking Area" shall be drawn up along both curbs of said streets and parallel therewith in such a manner that the part of said vehicle most remote from the right hand curb shall not extend into the street more than 8 feet from the said curb. It is the purpose and intention of this Ordinance to require all vehicles to be parked parallel with the curb on both sides of all streets or parts of streets covered by this Ordinance.

 (c) Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon the conviction thereof shall be punished by a fine of not less than one dollar ($1.00) and not more than twenty-five dollars ($25.00) together with the costs of prosecution. (Ord. 210, §§1, 2, 7.)

**Secs. 24-264 to 24-268. Reserved.**

**ARTICLE IX**

**STOPPING, STANDING AND PARKING**

**Sec. 24-269. Obstruction of streets and alleys while parking prohibited.**

(a) ***Definitions -*** The terms *"streets"* and *"alleys"* as used in this Ordinance are hereby defined to mean any thoroughfare, road or lane which is now, or hereafter may be, platted and dedicated to the City of Potosi, whether the same be in use or not.

 (b) ***Obstruction prohibited; loading and unloading -*** It is hereby declared to be unlawful for any person, firm or corporation to obstruct, or wilfully render more difficult, the free passage of vehicles over and upon the streets and alleys of the City of Potosi. It is further declared to be unlawful to park, or to cause to be parked, a vehicle in any manner other than parallel to the curb on the right side of the street and as near to such curb as is reasonably possible; provided, however, that it shall be lawful for vehicles to be parked diagonally on the north one-half of the east side of the block of Missouri Street that lies between Breton Street on the north and High Street on the south, and on the east one-half of the south side of the block of High Street that lies between the intersection of Fissel Street on the east and 407 East High Street on the west; and provided further, however, that where it is shown to be necessary for unloading purposes the owner or operator of the motor vehicle to be unloaded may apply to the chief of police to temporarily park his vehicle in the manner most convenient for such unloading, such parking, when authorized, not to exceed a period of twenty minutes. Nothing in this Ordinance shall be construed to permit parking other than in a proper manner between the hours of 12:00 p.m. and 1:00 p.m. and between the hours of 4:00 p.m. and 6:00 p.m.

 (c) ***Penalties for violations -*** Any person, firm or corporation who shall violate the terms of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00) or by imprisonment in the city jail for a period not to exceed ninety days, or by both such fine and imprisonment. (Ord. 348, §§1-3; Ord. 479, §3.)

**Sec. 24-270. Double parking unlawful except when loading and unloading.**

(a) It shall be unlawful for any person operating a motor or other vehicle to stop and double park said vehicle upon any street over which a state highway is or may be routed except as hereinafter provided.

 (b) All trucks and other motor vehicles loading or unloading supplies shall be parked parallel to the curb, or to parked cars, if space within 18 inches of curb is not available for parking cars, if space within 18 inches of a line of parked cars or of curb if parking is available, on that part of High Street and Missouri Street designated in Section 24-263(b) of this Code; and said vehicle shall not park opposite each other and only for a period at any one time of fifteen minutes. Provided, however, that the provision with respect to parking trucks as set out in Section 24-270(b) of this Ordinance shall apply and be in force and effect only between the hours of 8 o'clock a.m. and 11 o'clock p.m.

**STATE LAW REFERENCE:**

**Unattended motor vehicles, RSMo. §304.150.**

 (c) Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon the conviction thereof shall be punished by a fine of not less than one dollar ($1.00) and not more than twenty five dollars ($25.00). (Ord. 210, §§4, 5, 7.)

**Sec. 24-271. Parking of motor vehicles for sale on public streets, alleys and sidewalks - Prohibited.**

(a) ***Definitions -*** For the purpose of this Ordinance the following words and phrases shall have the following meaning:

(1) *Street* ***-*** Any public or private way set aside as a permanent right-of-way for street purposes.

(2) *Alley* ***-*** Same as street.

(3) *Sidewalk* ***-*** Any public or private way set aside as a right-of-way for pedestrian use or traffic.

(4) *Motor vehicle* ***-*** Any vehicle of any kind, size or description designed for or intended to be powered by any motor, or similar device, whether said motor or other device shall be in place or operative, or not.

 (b) ***Selling motor vehicles restricted to private property -*** It is hereby declared to be the policy of the City of Potosi, Missouri, that persons or firms engaged in, or desirous of, selling motor vehicles, at retail or wholesale, and whether new or used, shall keep, maintain, display and offer the same for sale on private property, and not upon the public streets of the city.

 (c) ***Selling motor vehicles on public property prohibited -*** No person, agent, employee of any person, corporation, firm or other organization shall park, position or place any motor vehicle upon or over any part of the public streets, alleys, or sidewalks of the City of Potosi, Missouri, if said vehicle is then and there being offered for sale, at retail or wholesale; whether new or used; and whether licensed or unlicensed.

 (d) ***Penalties for violations -*** Any person, firm or corporation who shall park, position, or place a motor vehicle, offered for sale, upon any street, alley or sidewalk of the City of Potosi in violation of the terms of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each offense; and each day of said violation shall be deemed to be a separate offense. (Ord. 550, §§1-4.)

**Secs. 24-272 to 24-276. Reserved.**

**ARTICLE X**

**NO PARKING ZONES**

**DIVISION 1. NO PARKING**

**ZONES DESIGNATED**

**Sec. 24-277. Blocking of or preventing access to valves and hydrants.**

(a) That there be no covering either by motor vehicle, trash receptacle, or by any other means of denying or obscuring access to any known valve or the blocking of or obscuring any hydrant by means of brush, out buildings, motor vehicles, trailers, or any other means of preventing or delaying authorized personnel from accessing for fires, flushing, repair or maintenance of said hydrants/valves nearer than ten (10) feet, five (5) feet in any direction of said hydrant/valves.

 (b) Anyone violating subsection (a) of this said ordinance shall be guilty of a misdemeanor and upon conviction therefore shall be fined not less than twenty-five dollars ($25.00) or more than five hundred dollars ($500.00) for each such conviction. (Ord. 263, §§1-2, Ord. 1057, §1)

**Sec. 24-278. Parking prohibited within fifteen feet of intersections.**

(a) From and after the date of its passage and approval of this ordinance it shall be unlawful for any person to park, or cause to be parked, any motor vehicle within fifteen feet of the corner of any intersection of public streets in the City of Potosi, Missouri.

 (b) The employees of the street department of the City of Potosi are hereby directed to erect and to maintain adequate signs bearing appropriate instructions to operators of motor vehicles under the terms of this Ordinance.

 (c) Any person who shall violate, or cause to be violated, the provisions of this Ordinance shall, upon conviction thereof, be punished be a fine of not less than three dollars ($3.00) nor more than twenty five dollars ($25.00), or by both such fine and imprisonment. (Ord. 342, §§1-3.)

**Sec. 24-279. Parking restricted within twenty-five feet of the intersection of Highway 21**

 **and Highway 8 and the intersection of Highway 8 (High Street) and Missouri**

 **Street.**

(a) It shall be unlawful for any person operating a motor or other vehicle to stop and park said vehicle on High Street and or Missouri State Highways Route #8 and Route #21 within a distance of twenty-five (25) feet of the corner of intersection of Missouri Street and or Missouri State Highway Route #21 and intersection of High Street.

 (b) Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon the conviction thereof shall be punished by a fine of not less than one dollar ($1.00) and not more than twenty-five dollars ($25.00) together with the costs of prosecution. (Ord. 210, §§3, 7.)

**Secs. 24-280 to 24-284. Reserved.**

*(Revised 11/13)***ARTICLE X**

**NO PARKING ZONES**

**DIVISION 2. PARKING PROHIBITED**

**ON CERTAIN STREETS**

**Sec. 24-285. Parking and non-parking of vehicles on the north side of High Street in the "300" block.**

(a) It is hereby declared to be permissible to park in front of the business place known as Skaggs Market and being on the north side of High Street from a line coincident with the west line of the building in which the market is located (and known as 306 East High Street) to a line parallel to and eleven feet east of the east line of said building.

 (b) It shall be unlawful to park from the east line above referred to for permissible parking for a distance 39 feet on eastward; this being the entrance and exit for the premises presently occupied by the Fryman Service Station: that is, parking is forbidden for a distance of 11 feet from the east line of the Skaggs building to a line 50 feet on east of said line.

 (c) After the provisions of (a) and (b) above it will then be permissible to park on farther eastward on the north side of said High Street for a distance of 38 feet; and then no further parking on eastward to the intersecting street - this too being an exit and entrance to the above referred to filling station.

 (d) It is hereby declared the intention of this Ordinance to provide a parking space for three vehicles of ordinary length from the west line of the Skaggs building on east; to then prohibit parking for a distance of 39 feet; to allow parking for a distance of 38 feet; and to prohibit parking the rest of said block, all of the above being on the north side of High Street, and all reading from west to east. The street department shall paint appropriate signs and markings on the street and driveways to indicate the above to the public.

 (e) Anyone violating the provisions of the above ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars ($5.00) nor more than fifty dollars ($50.00). (Ord. 416, §§1-5.)

**Sec. 24-286. Parking prohibited on the north side of East High Street where intersecting Casey Street and Brown Road**

(a) The term motor vehicles as used in this Ordinance is hereby defined to mean any vehicle, of whatever type, capable of carrying or conveying passengers or freight, and whether or not for hire.

 (b) In the exercise of the police power and for the public safety, it is hereby declared to be unlawful to stop, or to park, motor vehicles upon the north side of East High Street between the points where it intersects Casey Street and Brown Road, at any time.

 (c) The employees of the street department of the City of Potosi are hereby directed to erect and to maintain a sufficient number of suitable signs, indicating that parking is unlawful within the above described area.

*(Revised 12/05)*

 (d) Any person, firm or corporation who shall violate the provisions of this Ordinance shall, upon conviction thereof, be fined not less than five dollars ($5.00) nor more than fifty dollars ($50.00). (Ord. 542, A, §§1-4.)

**Sec. 24-287. Parking prohibited in designated areas on the east side of South Water Street.**

(a) The term *"motor vehicle"* as used in this Ordinance is hereby defined to mean any vehicle, of whatever type, capable of carrying or conveying passengers or freight, and whether or not for hire.

(b) In the exercise of the police power and for the public safety it is hereby declared to be unlawful to stop, or to park, motor vehicles upon the east side of South Water Street between the points where it intersects High Street and the property the address of which is 102 South Water Street, at any time.

 (c) The employees of the street department of the City of Potosi are hereby directed to erect and to maintain a sufficient number of suitable signs, indicating that parking is unlawful, within the above described area.

 (d) Any person, firm or corporation who shall violate the provisions of this Ordinance shall, upon conviction thereof, be fined not less than three dollars ($3.00) nor more than fifteen dollars ($15.00). (Ord. 337, §§1-4.)

**Sec. 24-288. Extend time parking of certain vehicles prohibited on residential streets and/or easements**

 (a) It shall be unlawful for anyone to park, or the owner to allow to be parked, upon a residential street and/or easements in the City of Potosi, Missouri, any large or oversized or extended vehicles, such as commercial motor vehicles, campers, motor homes, or trailers for a period of time exceeding forty-eight (48) hours.

 (b) It shall be unlawful for anyone to park, or the owner to allow to be parked, upon a residential street and/or easements in the City of Potosi, Missouri, any large or oversized or extended vehicles, such as commercial motor vehicles, campers, motor homes, or trailers in such a manner that two way traffic is not possible upon the street due to other vehicles being legally parked in the roadway.

 (c) Nothing in this Section shall be construed to prohibit short term temporary parking of such vehicles on a residential street and/or easements while making deliveries or pick-ups, or picking up or dropping off passengers.

 (d) For the purpose of this Section, if any portion of the parked prohibited vehicle is upon the paved roadway or extends over the paved portion of the roadway or street and/or easements, the vehicle shall be deemed parked on the street.

 (e) Violation of this Section shall be punishable upon conviction by a fine of not more than $500.00. (Ord. 898, §1; Ord, 1068, §1)

**Secs. 24-289 to 24-292. Reserved.**

 *(Revised 11/13)*

**ARTICLE XI**

**LIMITED-TIME PARKING**

**DIVISION 1. GENERALLY**

**Sec. 24-293. Removal of parking meters; two hour parking limit on High and Missouri Streets.**

(a) That all existing parking meters within the city limits of Potosi are hereby ordered removed.

 (b) That part of High Street beginning at the intersection of Stone Street and High Street and running thence westwardly to the intersection of Mine Street and High Street and that part of Missouri Street beginning at the intersection of High Street and Missouri Street and running northerly to the intersection of Breton Street and Missouri Street, is hereby declared to be a congested area, requiring special parking regulations.

 (c) No vehicle of any kind shall be parked within said congested area for any continuous period of more than two hours.

 (d) This Ordinnace shall not apply to the area designed by ordinances of this City as "Postal Zone" nor shall it apply to the area designated by the ordinance of this City as parking area for taxicabs.

 (e) This Ordinance shall be in force from the hours of 7:00 a.m. to 6:00 p.m. except Sundays and legal holidays.

 (f) Any person who shall park any vehicle within said area for a continuous period of more than two hours shall be deemed guilty of a misdemeanor and shall be punished by a fine of one dollar ($1.00) for the first violation and five dollars ($5.00) for each additional violation. (Ord. 506, §§1-6.)

**Sec. 24-294. Two hour parking limit on Missouri and High Streets to the intersection of High and Depot Streets.**

(a) Between the hours of 7:00 a.m. forenoon and 7:00 p.m. in the afternoon no motor or other vehicle shall be parked on High Street between the intersection of Missouri Street and High Street to the intersection of High Street and Depot Street for a longer period at any one time than (2) hours. On that part of High Street between the Intersection of High Street and Missouri Street and the intersection of High Street and Mine Street and on that part of Missouri Street between the intersection of High Street and Missouri Street intersection of Missouri Street and Church Street no motor or other vehicle shall be parked for a longer period at any time than two (2) hours.

 (b) Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon the conviction thereof shall be punished by a fine of not less than one dollar ($1.00) and not more than twenty-five dollars ($25.00) together with the costs of prosecution. (Ord. 210, §§6-7.)

**Sec. 24-295. Parking restricted on the south side of Breton Street, with the exception of Sundays.**

(a)There is hereby created a limited parking zone on the south side of that portion of Breton Street lying between Mine Street and Missouri Street in the City of Potosi, Missouri.

 (b) No vehicle shall be parked by the operator thereof within said zone at any time except on Sunday.

 (c) Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor, and shall be punished by a fine of not less than two dollars ($2.00) nor more than twenty five dollars ($25.00). (Ord. 279, §§1-3.)

**Secs. 24-296 to 24-300. Reserved.**

**ARTICLE XI**

**LIMITED-TIME PARKING**

**DIVISION 2. POSTAL ZONES**

**Sec. 24-301. Postal zone on High Street with five minute parking limit.**

(a) A limited parking zone known as postal zone is hereby designated on High Street in the City of Potosi, Missouri. On the southwest side of said street said zone shall begin at the point on the street at the intersection of the prolongation of the line between the west wall of the post office building and the east wall of the Nat Boss store with the curb line of High Street, and extend eastwardly to a point at the top of the steps in front of the building occupied by Auto Supply Company. On the northeast side of the street said zone shall begin at the west side of the driveway entrance to the Elsey-Dickey Motor Company building and extend westwardly to the intersection of the prolongation of the line dividing the Potosi Tobacco Store, known as the Dallen Building, and the Duncan Jewelry Store with the curb of High Street.

 (b) Said zone is hereby designated as a postal zone for the convenience of patrons of the Potosi post office.

 (c) No vehicle shall park in said zones or either of them for a period of more than five consecutive minutes, between the hours of 7 a.m. and 6 p.m.

 (d) Any person parking a vehicle in said area for a period of more than five consecutive minutes shall be deemed guilty of a misdemeanor and punished by a fine of not less than two dollars ($2.00) nor more than twenty five dollars ($25.00). (Ord. 276, §§1-4.)

**Sec. 24-302. Postal zone on south side of East High Street with five minute parking limit.**

(a) A limited parking zone known as a postal zone is hereby designated on East High Street in the City of Potosi, Missouri, on the south side of High Street. Said zone shall begin at the intersection of said street and the pedestrian crosswalk, at or near 117 East High Street, and extend east a distance of 22 feet, to the terminal point of this limited postal parking zone.

 (b) Said zone is hereby designated as a postal zone for the convenience of the general public.

 (c) No vehicle shall park in said zone for a period of more than five consecutive minutes, between the hours of 7:0 0 a.m. and 6:00 p.m.

 (d) Any person parking a vehicle in said area for a period of more than five consecutive minutes shall be deemed guilty of a misdemeanor and punished by a fine of not less than two dollars ($2.00) nor more than twenty-five dollars ($25.00). (Ord. 540, §§1-4.)

**Secs. 24-303 to 24-307. Reserved.**

**ARTICLE XII**

**HANDICAPPED PARKING**

**Sec. 24-308. Description of handicapped parking spaces to be submitted to the city clerk.**

(a) Any governmental, institutional or commercial facility that desires to establish reserved parking space for handicapped persons shall submit to the city clerk a description of the number and location of such spaces and the manner in which such space will be identified as reserved for handicapped persons. (Ord. 567, §1.)

**Sec. 24-309. Requirements for parking in handicapped parking spaces.**

It shall be illegal for any person to park a vehicle in a space reserved and marked as reserved for handicapped parking unless the person shall meet one of the following requirements:

 (a) A State of Missouri or other state handicapped license plates, or

 (b) A veteran's administration handicapped license plate, or

 (c) A handicapped identification card issued by a municipality and displayed on the driver's side of the windshield or a handicapped parking sticker from another legitimate source, or

 (d) If the driver of the vehicle is obviously physically handicapped. (Ord. 567, §2.)

**Sec. 24-310. Identifying markers for vehicles of the handicapped to be issued by police department.**

The chief of police shall be authorized to enact such rules and regulations necessary for the implementation of a handicapped parking identification program in the City of Potosi. The police department shall issue without charge a special identifying certificate for marking a vehicle to any physically handicapped applicant upon submission by the applicant of a certificate by a qualified physician that the person is a physically handicapped person within the meaning of this section. (Ord. 567, §3.)

**Sec. 24-311. Parking in handicapped parking spaces without a permit prohibited.**

Any person who shall park a vehicle without a permit as required by section 24-309 herein shall be in violation of this Ordinance and shall be subject to prosecution and upon conviction shall be subject to a fine of not less than five dollars ($5.00). (Ord. 567, §4.)

**Secs. 24-312 to 24-316. Reserved.**

**ARTICLE XIII**

**ABANDONED VEHICLES**

**Sec. 24-317. Definitions.**

 *Damaged or disabled vehicle* - Any vehicle which is not registered or properly registered within the state of Missouri, has been inoperable for more than 72 hours or is in such a state of repair as to be inoperable, except those on the premises of a duly licensed automobile repair or sales business, or in a duly licensed automobile junk yard.

 *Junk* - Any metal, glass, paper, rags, wood, machinery parts, cloth, or other waste or discarded material of any nature or substance whatsoever, or scrap or salvage material.

 *Person* - Any person, firm partnership, association, corporation, or other organization of any kind.

 *Property*- Any land owned by the city or located within the city limits not including streets and highways.

 *Street or highway*- The entire area between the boundary lines of every publicly maintained way when any part thereof is opened to the use of the public for purposes of vehicular travel.

 *Vehicles* - Any machine propelled by power other than human power designed to travel on the ground by use of wheels, treads, runners or slides, including but not limited to automobiles, trucks, trailers, motorcycles, tractors, buggies, and wagons, or any part thereof. (Ord. 482, §1.)

**Sec. 24-318. Damaged or disabled vehicles - Nuisance.**

Any damaged or disabled vehicle, part thereof, or junk, located on any property, street, or highway which presents a hazard to children, or harbors tall grass, weeds, or other vegetation, or creates a fire hazard, or affords a breeding place or nesting place for mosquitoes, flies, rodents, rats, or other vermin, or any vehicle, part thereof, or junk, allowed to remain unimproved on any street or highway for 48 hours is a public nuisance. (Ord. 482, §2.)

**Sec. 24-319. Unlawful to maintain such nuisance.**

It shall be unlawful for any person to create or maintain a nuisance as defined in section 24-318. (Ord. 482, §3.)

**Sec. 24-320. Notice.**

Whenever the chief of police or his duly authorized representative determines that any vehicle or junk is a nuisance as defined herein, he shall cause written notice to be served upon the owner of the vehicle or junk, if he can be located, or the person in custody of such vehicle or junk, by registered mail or by personal service. The notice shall state that the vehicle or junk is deemed to be a nuisance within the provisions of section 24-318 hereof, and shall briefly state the facts deemed to constitute such vehicle or junk or nuisance within the terms of this ordinance, and state that the nuisance shall be abated within seven days from the receipt of such notice. (Ord. 482, §4.)

**Sec. 24-321. Proceedings when owner or custodian cannot be located.**

When the owner or custodian of any nuisance as defined in section 24-319 cannot be located by reasonable search, the notice shall be attached to the property, briefly stating facts deemed to constitute the property a nuisance and stating that the nuisance shall be abated within seven days of the date the notice was posted, or if the vehicle is on public property, within two days after the notice was posted. (Ord. 482, §5.)

**Sec. 24-322. Duty of the owner or custodian.**

Any person receiving the notice provided for above shall comply with the provisions of the notice requiring abatement. Failure to comply with this provision is unlawful. (Ord. 482, §6.)

**Sec. 24-323. Disposition.**

If not removed within the time specified in the notice, the vehicle or junk shall be transported to a storage area by or at the direction of the chief of police or his duly authorized representative at the expense of the owner or person in custody thereof. It shall then be stored for a period of at least ninety days, and the person entitled to the possession thereof may redeem the property by payment to the city of the actual cost of its removal and a reasonable storage fee. If the vehicle or junk is unredeemed after the expiration of the ninety day period, the chief of police may sell it to the highest bidder, or if it has no sale value, may otherwise dispose of it. Any money received from the disposal of any vehicle or junk shall be applied to the expenses charged to the owner or person in charge thereof. (Ord. 482, §7.)

**Sec. 24-324. Notice of sale.**

Prior to the sale of any such property, the chief of police shall cause to be posted in city hall, place of storage and at least one other public place in the city, a notice of sale stating (a) the city is selling abandoned property; (b) the color, make, year, motor number, and serial number, if available, and any other information necessary for an accurate identification of the property; (c) the terms of the sale; (d) the date, time, and place of the sale. The notice shall be published not less than ten or more than thirty days prior to the date of the sale. (Ord. 482, §8.)

**Sec. 24-325. Entry onto private property.**

The chief of police or his duly authorized representative may enter upon private property for inspection or for the purpose of removing any vehicle or junk in accordance with this ordinance. If any person refuses to allow entry onto his private property, the chief of police may obtain a warrant from the proper official and proceed in accordance therewith. (Ord. 482, §9.)

**Sec. 24-326. Penalty.**

Any person violating any of the provisions of Chapter 24 of the City Code of Ordinances wherein a different punishment has not been set, shall be deemed guilty of a municipal misdemeanor, and upon conviction thereof shall be fined not less than five nor more than five hundred dollars, or by imprisonment in the city jail or other custodial facility for a term of not more than ninety days, or by both fine and confinement. (Ord. 482, §10; Ord. 822, §3)

**Secs. 24-327 to 24-331. Reserved.**

*(Revised 3/03)*