

TITLE 10

VEHICLES AND TRAFFIC

Chapters:

- 10.01 Parking
- 10.04 Traffic Code
- 10.08 Golf Carts
- 10.12 All-Terrain Vehicles

CHAPTER 10.01

PARKING

Sections:

- 10.01.010 Restricted parking on Elm Street.
- 10.01.020 No-parking zone.

10.01.010 **Restricted parking on Elm Street.**

On Elm Street, in the city of Eldon, from Fourth Street to Sixth Street, there shall be two-hour parking only from six a.m. to six p.m. daily. Any persons violating the provisions of this section shall be punished as provided in Chapter 1.12.

10.01.020 **No-parking zone.**

- A. There shall be no parking on the west side of Fourth Street from the intersection of Elm Street and Fourth Street for a distance of one-half block north to the alley and Fourth Street intersection.
- B. There shall be no parking on the north side of Wood Street from the intersection of Eighth Street to Ninth Street.
- C. There shall be no parking on either side of Caster Street from the intersection of Section Street to Finney Avenue.

D. A violation of this chapter is a municipal infraction and any person violating any of the provisions of this chapter, shall be punished as provided in Chapter 1.12, in the discretion of the court.

CHAPTER 10.04

TRAFFIC CODE

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10.04.010 **Purpose.**

The purpose of this chapter is to regulate traffic upon and use of the streets of Eldon, Iowa, and to provide for the enforcement of these regulations.

10.04.020 **Definitions.**

Where words and phrases used in this chapter are defined by the law of Iowa such definitions shall apply to this chapter:

- A. “*Business districts*” means the intersection of Fourth and Walnut Northwest to Sixth and Walnut Streets, thence Southwest to the right-of-way of the former Chicago, Rock Island and Pacific Railroad, thence Southeast to Third Street, thence Northeast to Walnut Street, thence Northwest to the place of beginning, all in Eldon, Wapello County, Iowa.
- B. “*Park*” or “*parking*” means the standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engage in, loading or unloading merchandise or passengers.
- C. “*Residential districts*” means all areas of the city not included in business districts.
- D. “*Stand*” or “*standing*” means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.
- E. “*Stop*” means a complete cessation of movement.

F. “*Stop or standing*” means any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

10.04.030 Police administration.

The traffic division shall be under the control of law enforcement.

10.04.040 Traffic accidents – Location studies.

Whenever the accidents at any particular location becomes numerous, the Law enforcement shall conduct studies of such accidents and propose remedial measures to the city council.

10.04.050 Traffic accidents – Report requirements.

The driver of a vehicle involved in an accident within the limits of this city shall file a report as and when required by the Iowa Department of Public Safety. A copy of this report will be filed with Law enforcement. All such reports shall be for the confidential use of law enforcement and shall be subject to the provisions of Section 321.271 of the Code of Iowa. Law enforcement shall maintain a suitable system of filing traffic accident reports.

10.04.060 Traffic accidents – Report investigation.

Law enforcement or any other duly authorized and acting peace officer of the city shall investigate all accidents reported. If sufficient evidence of a violation is found, proper action will be taken to punish the violator.

10.04.070 Driver’s records on file.

Law enforcement shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, complaints reported for each driver, which shall be filed in the records of the police department. Law enforcement shall study the cases of all drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same, or to have the license of such person suspended or revoked as provided by state law. Such records shall accumulate during at least a three-year period and from that time on such records shall be maintained complete for at least the three most recent three-year period.

10.04.080 **Traffic report to mayor.**

Law enforcement shall prepare annually a traffic report which shall be filed with the mayor. Such reports shall contain information on traffic matters in this city concerning the number of traffic accidents, the number of persons killed and injured, the number and nature of violations, and other pertinent traffic data including the plans and recommendations for future traffic safety activities.

10.04.090 **Police and fire department traffic authority.**

Provisions of this chapter and the Iowa law relating to motor vehicles and law of the road shall be enforced by officers of the police department. The officers of law enforcement are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of a fire or other emergency, officers of law enforcement may direct traffic as conditions require notwithstanding the provisions of the traffic laws. Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

10.04.100 **Traffic control device installation.**

Law enforcement shall cause to be placed and maintained traffic control devices when and as required under the ordinances of this city to make effective its provisions, and may so cause to be placed and maintained such additional, emergency or temporary traffic control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate traffic under the traffic ordinances of this city or under the state law or to guide or warn traffic. All traffic control devices shall comply with the standards established by the *Manual of Uniform Traffic Control Devices for Streets and Highways* of the Iowa Department of Transportation.

10.04.110 **Crosswalks – Traffic lanes.**

Law enforcement is authorized:

- A. To designate and maintain by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where due to traffic conditions there is particular danger to pedestrians crossing the street or roadway, and at such other places as traffic conditions require; and
- B. To mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with the traffic ordinances of this city. Where such traffic lanes have been marked, it is unlawful for the operation of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

10.04.115 Multi-Use Trail Crossing.

A multi-use trail crossing shall be designated and maintained by appropriate devices, marks, or lines across that portion of Elm Street, also known as Highway 16, connecting the existing portion of the American Gothic Trail located on Lot 23 and the West 9 feet of Lot 22 in Block 28 and a portion of Lot 24 of Block 29, all in the original plat to the City of Eldon, Iowa.

10.04.120 Speed limit changes.

It is determined that the speed permitted by state law upon the following streets or portions thereof is greater or less than is necessary for the safe operation of vehicles thereon, and it is declared that the maximum speed limit upon these streets or portions thereof described shall be as follows:

- A. The speed limit on Elm Street from Hearn Street to 9th Street shall be twenty-five miles per hour.
- B. The speed limit on 9th Street from Elm Street to High Street shall be thirty-five miles per hour.
- C. The speed limit on Walnut Street from 4th Street to 9th Street shall be thirty miles per hour.

10.04.130 Intersection turning markers, buttons and signs.

Law enforcement may cause markers, buttons or signs to be placed within or adjacent to intersections, and thereby require and direct, as traffic conditions require, that a different course from that specified by state law be traveled by vehicles turning at intersections, and when markers, buttons or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs, including right-hand turns at intersections with automatic traffic signals.

10.04.140 Turn restrictions – Sign posting.

Law enforcement is authorized to determine those intersections, as traffic conditions require, at which the drivers of vehicles shall not make a right or left-hand turn. The making of such turns may be prohibited between certain hours of any day, in which event the same shall be plainly indicated on signs.

10.04.150 Turn restrictions – Driver obedience.

Whenever authorized signs are erected indicating that no right or left-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

10.04.160 U-turns.

It is unlawful for a driver to make a U-turn except at an intersection provided, however, that U-turns are prohibited at intersections within the business district and at intersections where there are automatic traffic signals.

10.04.170 One-way streets and alleys – Sign posting.

Whenever any traffic ordinance of this city designates any one-way street or alley the Law enforcement shall place and maintain signs giving notice thereof and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. It is unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

10.04.180 Through highways designated.

Streets or portions of streets described below are declared to be through highways:

Elm Street from the Southeast corporate limit of the city of Eldon to the Northwest corporate limit of the city of Eldon and 9th Street from the intersection of Elm Street Northeast to the North corporate limit.

10.04.190 Stop signs – Through highway intersections.

Whenever any ordinance of this city designates and describes a through highway is shall be the duty of law enforcement to cause to be placed and maintained a stop sign on each and every street intersecting such through highway except as hereinafter modified in the case of intersecting through highways.

10.04.200 Stop and yield signs – Heavy traffic intersections.

At the intersections of through highways and at intersections upon streets other than through highways, where, because of heavy cross-traffic or other traffic conditions, particular hazards exist, law enforcement is authorized to determine whether vehicles shall stop or yield at one or more entrances to any such intersection and shall present such recommendation to the city council, and upon approval by the council, shall erect an appropriate sign at every such place when a stop or yield is required.

- A. The following intersections have been determined by the city council as stop intersections and shall have signs erected thereon as follows:

Ross and Walnut on right facing north
Ross and Walnut on right facing south
Ross and Caster on right facing north
Ross and Caster on right facing south
Ross and Selma on right facing south
Ross and Hearn on right facing north
Selma and Finney on right facing west
Finney and Caster on right facing north
Finney and Caster on right facing south
Finney and Cornell on right facing north
Finney and Cornell on right facing south

Finney and Highway 16 on right facing north
Finney and East Walnut Street facing north
Finney and East Walnut Street facing south
Finney and Walnut on right facing south
Finney and Walnut on right facing north
Bierce and Caster on right facing south
Walnut and Bierce on right facing north
Roy and Caster on right facing south
Roy and Cornell on right facing north
Roy and Walnut on right facing north
Roy and Walnut on right facing south
Eldon and Cornell on right facing south
Eldon and Cornell on right facing north
Walnut and Second on right facing east
Walnut and Second on right facing west
Walnut and Third on right facing east
Walnut and Third on right facing west
Fourth and K.D. on right facing north
Fourth and K.D. on right facing south
K.D. and First on right facing east
K.D. and First on right facing west

K.D. and Fourth on right facing east
Water and First on right facing west
Des Moines and Fourth on right facing east
Second and Des Moines on right facing north
Second and Des Moines on right facing south
Second and South K.D. Avenue
Des Moines and Norton on right facing south
North and first on right facing west
Fourth and Walnut on right facing north
Fifth and Walnut on right facing north
Wood and Fifth on right facing east
Wood and Fifth on right facing west
High and Eighth on right facing east
High and Eighth on right facing west
Wood and Eighth on right facing east
Wood and Eighth on right facing west
Wood and Seventh on right facing east
Wood and Seventh on right facing west
Church and Sixth on right facing east
Church and Sixth on right facing west
Church and Fifth on right facing west

Church and Seventh on right facing east
Church and Seventh on right facing west
Church and Eighth on right facing east
Church and Eighth on right facing west
Sixth and Walnut on right facing north
Sixth and Walnut on right facing south
Seventh and Walnut on right facing north
Seventh and Walnut on right facing south
Eighth and Walnut on right facing north
Eighth and Walnut on right facing south

- B. The following intersections have been determined by the city council as yield intersections in part and yield signs shall be erected thereon as follows:

Eldon and Walnut on right facing north
Eldon and Walnut on right facing south
High and Seventh on right facing east
High and Seventh on right facing west

- C. The following intersections have been determined by the city council as four-way stop intersections as follows:

East Walnut and Ross Street Facing North
East Walnut and Ross Street Facing South
East Walnut and Ross Street Facing East
East Walnut and Ross Street Facing West

Roy and Cornell
Third and South K.D. Avenue
Third and Des Moines

10.04.210 Stop for traffic obstruction.

Notwithstanding any traffic control signal indication to proceed, no driver shall enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle the driver is operating.

10.04.220 School stops.

When a driver of a vehicle approaches an authorized school stop he shall bring such vehicle to a full stop at a point ten feet from the approach side of the crosswalk marked by an authorized school stop sign, and thereafter proceed in a careful and prudent manner until the driver shall have passed such school site.

10.04.230 Pedestrians – Prohibited crossing.

Pedestrians crossing a street in the business district shall cross only at the intersections or crosswalks marked.

10.04.240 Pedestrians – On left of roadway.

Where sidewalks are provided it is unlawful for any pedestrian to walk along or upon an adjacent roadway. Where sidewalks are not provided pedestrians shall at all times when walking on or along a roadway, walk on the left side of such roadway.

10.04.250 Truck routes.

Every motor vehicle weighing six tons or more when loaded or empty, having no fixed terminal within the city or making no scheduled or definite stops within the city for the purpose of loading or unloading shall travel over or upon the following streets within the city and none other: Elm Street and Walnut Street. Any motor vehicle weighing six tons or more when loaded or empty having a fixed terminal, making a scheduled or definite stop within the city for purpose of loading or unloading shall proceed over or upon the designated route set in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return by the most direct route to its point of departure from said designated route. The owner or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in a manner contrary to this section.

10.04.260 **Driving on sidewalk prohibited.** The driver of a vehicle shall not drive upon or within any sidewalk area except a driveway.

10.04.270 **Clinging to vehicles prohibited.**

No person shall drive a motor vehicle on the streets of this city unless all passengers of said vehicle are inside said vehicle in the place intended for their accommodation. No person shall ride on the running board of a motor vehicle or in any other place not customarily used for carrying passengers or cargo. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

10.04.280 **Procession – Driving through prohibited.**

No driver of any vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

10.04.290 **Procession – Requirements.**

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe.

10.04.300 **Procession – Funeral identification.**

A funeral procession composed of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia and/or shall all have their headlights illuminated on all such vehicles in the procession.

10.04.310 Load restrictions – Sign posting.

When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amount specified on such signs at any time upon any of the following streets or parts of streets: Any street within the city where the combined gross weight of the vehicle is in excess of fifteen thousand pounds except upon Elm Street.

10.04.320 Load restrictions - Bridges.

It is unlawful for any vehicle or special mobile equipment of a gross weight or combined gross weight in excess of eight thousand pounds to use, traverse or pass across the Walnut Street Bridge at Chippewa Creek.

10.04.330 Load restrictions – Permits for excess size and weight.

The Law enforcement shall, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by state law over those streets names in the permit which are under the jurisdiction of the city and for which the city is responsible for maintenance.

10.04.340 Load restrictions – Temporary weight restrictions.

If the city council declares embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs.

10.04.350 School buses – Signals required.

The driver of any school bus used to transport children to and from a public or private point within the residence or business districts of the city, turn on the flashing stop warning signal lights at a distance of not less than one hundred feet, nor more than three hundred feet where said pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring said bus to a stop and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off the flashing stop warning lights, retract the stop arm and then proceed on the route. No school bus shall stop to load or unload pupils unless there is at least three hundred feet of clear vision in each direction.

10.04.360 School buses – Discharging pupils.

All pupils shall be received and discharged from the right front entrance of every school bus and if said pupils must cross the street or highway, they are required to pass in front of the bus, look in both directions, and proceed to cross the street or highway only on signal from the bus driver.

10.04.370 **School buses – Other motor vehicles to stop.**

The driver of any vehicle when meeting a school bus on which the stop warning signal lights are flashing shall reduce the speed of said vehicle to not more than twenty miles per hour, and shall bring said vehicle to a complete stop when school bus stops and stop signal arm is extended and said vehicle shall remain stopped until the stop arm is retracted after which the driver may proceed with due caution. The driver of any vehicle overtaking a school bus shall not pass a school bus when flashing a stop warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen feet of the school bus when it is stopped and the arm is extended, and shall remain stopped until the stop arm is retracted and the school bus resumes motion, or until signaled by the driver of the school bus to proceed.

10.04.380 **Bicycles – Traffic code applicability.**

Each person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. Whenever such person dismounts from a bicycle he shall be subject to all regulations applicable to pedestrians.

10.04.390 **Bicycles – Riding regulations.**

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

10.04.400 **Bicycles – On roadways and paths.**

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

10.04.410 **Bicycles – Speed.**

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions existing.

10.04.420 **Bicycles – Emerging from alley or driveway.**

The operators of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across an alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

10.04.430 Bicycles – Carrying articles.

No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars.

10.04.440 Bicycles – Parking.

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

10.04.450 Bicycles – Riding on sidewalks.

No person shall ride a bicycle upon a sidewalk within the business district. When signs are erected on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, no person shall disobey such signs. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

10.04.460 Bicycles – Equipment required.

Every bicycle when in use at nighttime shall be equipped with a lamp in the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of headlights on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector. No person shall operate a bicycle unless it is equipped with a bell or other signal device capable of giving a signal audible for a distance of at least one hundred feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle. Every bicycle shall be equipped with a brake which shall enable the operator to make the braked wheels skid on dry, level, clean pavement.

10.04.470 Parking – Requirements generally.

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-hand side of one-way streets.

10.04.480 Parking – On one-way streets.

No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within eighteen inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking.

10.04.490 Parking – Time limit signs.

Whenever by this chapter or any other ordinance of this city any parking time limit is imposed or parking is prohibited on designated streets or portions of streets it shall be the duty of the Law enforcement to erect appropriate signs giving notice thereof and so such regulation shall be effective unless signs are erected and in place at the time of any alleged offense. When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

10.04.500 Parking – All night prohibited.

No person except physicians or other persons on emergency calls, shall park a vehicle on any street marked to prohibit all-night parking and give notice thereof, for a period of time longer than thirty minutes between the hours of two a.m. and five a.m. of any day.

10.04.510 Parking – Truck limits.

Trucks weighing six tons or more, loaded or empty, shall not be parked on Elm Street from 4th Street to 9th Street.

10.04.520 Parking – Prohibited purposes.

No person shall park a vehicle upon a roadway for the principal purpose of:

- A. Displaying such vehicle for sale;
- B. For washing, greasing or repairing such vehicle except such repairs as are necessitated by an emergency;
- C. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under the ordinances of this city; and
- D. Storage or as junkage or dead storage for more than forty-eight hours.

10.04.530 Angle parking – Permitted when.

The Law enforcement as traffic conditions require, shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets or portions thereof indicating the method of angle parking. Such determination shall be subject to approval by council resolution. Angle parking is authorized on 5th Street between Elm Street and Walnut Street.

10.04.540 Angle parking – Obedience to signs required.

Upon those street or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings.

10.04.550 Stopping, standing or parking prohibited.

No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- 1. On a sidewalk.
- 2. In front of a public or private driveway.
- 3. Within an intersection.
- 4. Within five (5) feet of either side of the point on the curb nearest to a fire hydrant.
- 5. On a crosswalk.
- 6. Within ten (10) feet upon the approach to any flashing beacon, stop sign, or traffic- control signal located at the side of the roadway.
- 7. Within fifty (50) feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.
- 8. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly signposted.
- 9. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.
- 10. On the roadway side of any vehicle stopped or parked at the edge or curb of street.
- 11. Opposite the entrance to a garage or driveway in such a manner or under such conditions as to leave available less than twenty (20) feet of the width of the roadway for the free movement of vehicular traffic.
- 12. Upon any street or in any alley in any part of the City in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway of such street or alley for the free movement of vehicular traffic, except when necessary in obedience to traffic regulations or traffic signs, or signals of a police officer.
- 13. At any place where official signs or curb markings prohibit stopping, standing or parking.
- 14. Within ten (10) feet of the crosswalk at all intersections within the City.
- 15. In an alley under any fire escape at any time.
- 16. There shall be no parking on the west side of Fourth Street from the intersection of Elm Street and Fourth Street for a distance of one-half block north to the alley and Fourth Street intersection.

17. There shall be no parking on the north side of Wood Street from the intersection of Eighth Street to Ninth Street.
18. There shall be no parking on either side of Caster Street from the intersection of Section Street to Finney Avenue.

10.04.560 Prohibited parking – Curb marking – Signs.

When, because of restricted visibility or when standing or parked vehicles constitute a hazard to moving traffic, or when other traffic conditions require, the Law enforcement may cause curbing to be painted with a yellow or orange color and erect no parking or standing signs. It is unlawful for the operator of any vehicle to stand or park a vehicle in an area so painted or sign-posted.

10.04.570 Illegal parking – Summons.

Whenever any motor vehicle or bicycle without a driver is found parked or stopped in violation of any of the restrictions imposed by any ordinance of this city the officer or other authorized person finding such vehicle or bicycle shall attach a written summons as hereinbefore provided to such vehicle or bicycle in a conspicuous place and the driver of such vehicle or bicycle shall be held to appear at the time and place designated in the summons.

10.04.580 Illegal parking – Proof of violation.

In any proceeding charging a standing or parking violation, a prima facie presumption that the registered owner was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred, shall be raised by proof that:

- A. The particular vehicle described in the information was parked in violation of this chapter; and
- B. The defendant named in the information was the registered owner at the time in question.

10.04.585 Disturbing the public peace and quiet by excessive noise by a motor vehicle.

- A. No horn or signal device upon any motor vehicle shall be unnecessarily sounded, or be sounded for any purpose other than to give warning of the approaching of said vehicle.
- B. Any person who shall operate any motor vehicle in such a manner as to disturb the public peace and quiet by creating excessive noise or unusual notice, by blowing horns or by ringing bells or by the use of sirens, radios or any other type of speaking device or noise maker, or the squealing of tires shall constitute the offense of disturbing the peace by auto and shall constitute a traffic offense.

Such offenses as set forth in subsections A and/or – hereof shall be punished as provided in Section 10.04.620 of the Eldon Municipal Code.

10.04.590 Violations designed – State law.

Any person who willfully fails or refuses to comply with any lawful order of law enforcement, or direction of a fire department officer during a fire, or who shall fail to abide by the provisions of this chapter and the applicable provisions of the following Iowa statutory laws relating to motor vehicles and the statutory law of the road is in violation of this chapter. These sections of the Code are:

- A. 321.32, 321.174, 321.190, 321.193, and 321.218 through 321. 224 – display of registration and licence to drive;
- B. 321.229 through 321.234 – obedience to a peace officer and responsibility of public officers, emergency vehicles and bicycles to obey traffic regulations.
- C. 321.256 through 321.260 – traffic signs, signals and markings;
- D. 321.261 through 321.266 and 321.268 – accidents and accident reporting;
- E. 321.275 – operation of motorcycles;
- F. 321.283 through 321.288 and 321.294 through 321.296 – reckless driving, drag racing, speed, control of vehicle and minimum speed;
- G.** 321.297 through 321.310 – driving on right, meeting, overtaking, following or towing;
- H. 321.311 through 321.318 – turning and starting, signals on turning and stopping;

- I. 321.319 through 321.324 – right-of-way;
- J. 321.325 through 321.334 and 321.340 – pedestrian rights and duties and safety zones;
- K. 321.341 through 321.344 – railroad crossings;
- L. 321.353 through 321.360 – stop at sidewalks, stopping, standing and parking;
- M. 321.362 through 321.371 – unattended vehicle, obstructing driver’s view, crossing median, following fire apparatus, or crossing fire hose, and putting glass, etc. on streets;
- N. 321.384 through 321.409, 321.415, 321.418 through 321.423 – lighting equipment required and time of use;
- O. 321.430 through 321.443 and 321.447 through 321.450 – brakes, horns, sirens, mufflers, wipers, mirrors, tires, flares, windows, safety belts, and special markings for transporting explosives;
- P. 321.452 through 321.463, 321.465 and 321.466 – size, weight and load

10.04.600 Impoundment authorized when.

A. Members of the police department are authorized to remove, or cause to be removed, a vehicle from a street, public alley or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by the city, under the circumstances hereinafter enumerated:

1. When a vehicle is upon a roadway and is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
 2. When any vehicle is left unattended upon a street and is so illegally parked as to constitute a definite hazard or obstruction to the normal movement of traffic;
 3. When a vehicle is left parked upon a street for a continuous period of forty-eight hours or more. A diligent effort shall be first made to locate the owner. If the owner is found he shall be given an opportunity to remove the vehicle.
 4. When any vehicle is left parked in violation of a ban on parking during a snow emergency as proclaimed by the mayor.
- B. In addition to the penalties hereinafter provided, the owner or driver of any vehicle impounded for violation of any of the provisions of this ordinance shall be required to pay the reasonable cost of towing charges and storage.

10.04.605 Prohibition of operation of motorized vehicles on sidewalks in city park.

It shall be unlawful for any person to operate a motorized vehicle, motorcycle, all terrain vehicle or automobile upon the paved trail of Greenbelt Park, the sidewalks of City Park or any other location in the city of Eldon posted as no motorized traffic allowed. That this section shall not apply to motorized wheel chairs or manner of conveyance for disabled persons. Anyone who violates the provisions of this section shall be subject, upon conviction, to imprisonment not exceeding thirty days or a fine not exceeding one hundred dollars.

10.04.610 Arrest – Notice to appear.

Whenever law enforcement has reasonable cause to believe that a person has violated any provisions of this chapter such officer may:

- A. Immediately arrest such person and take him before a magistrate of Wapello County, Iowa, or
- B. Without arresting the person, prepare a written summons to appear in court containing the name and address of such person, the operator or chauffeur license number, if any, the registration number of the vehicle, the offense charged, the time and place when such person shall appear and if the offense charged be speeding such summons shall also specify the speed at which such person is alleged to have driven and the speed limit applicable within the district or location. The person with whom charged shall be given a copy of the summons and a copy shall be retained by the arresting officer.

10.04.620 Violation – Penalty.

A violation of this chapter is a municipal infraction and any person violating any of the provisions of this chapter, shall be punished as provided in Chapter 1.12, in the discretion of the court.

CHAPTER 10.08

GOLF CARTS

Sections:

- | | |
|-----------|----------------------------|
| 10.08.010 | Operation on city streets. |
| 10.08.020 | Violation – Penalty. |

10.08.010 Operation on city streets.

Golf carts may be operated on the city streets by any adult possessing a valid motor vehicle license. However, a golf cart shall not be operated upon a city street which is a primary road extension through the city (Elm Street/Highway 16), but shall be allowed to cross a city street which is a primary road extension through the city. A golf cart shall be equipped with a slow-moving vehicle sign and a bicycle safety flag and may be operated on the city streets only from sunrise to sunset. A golf cart operated on city streets shall be equipped with adequate brakes and shall meet any other

safety requirements imposed by the city council. Golf carts are not subject to registration with the city council. A minor shall not operate a golf cart on any city street. A golf cart shall not be operated upon private property without the permission of the owner, the sidewalks of the city, any paved trail within the city, including Greenbelt Park and the American Gothic Trail, or any other location in the city posted as “no motorized traffic allowed”.

10.08.020 Violation – Penalty.

A violation of this chapter is a municipal infraction and any person violating any of the provisions of this chapter, shall be punished as provided in Chapter 1.12, in the discretion of the court.

CHAPTER 10.12

ALL-TERRAIN VEHICLES

Sections:

10.12.010	Definitions.
10.12.020	Operation on city streets.
10.12.040	Violation – Penalty.

10.12.010 Definitions.

An “*all-terrain vehicle*” is defined under Iowa Code § 321I.1 and the provisions of Iowa Code Chapter 321I are incorporated by this reference.

10.12.020 Operation on city streets.

An all-terrain vehicle registered as required by the State of Iowa may be operated on the city streets by an adult possessing a valid motor vehicle license. However, an all-terrain vehicle shall not be operated:

- A. At speeds of 35 miles per hour or greater.
- B. At a rate of speed greater than reasonable or proper under all existing circumstances.
- C. At a rate of speed in excess of the posted speed limit.
- D. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damages thereto.
- E. While under the influence of intoxicating liquor or narcotics or habit forming drugs.
- F. Without a lighted headlight and taillight from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of 500 feet ahead.
- G. In any other manner in violation of the Eldon Municipal Code or the Code of the State of Iowa.
- H. With a firearm in the person’s possession unless it is unloaded and enclosed in a carrying case.
- I. With more persons on the vehicle than it was designed to carry.
- J. On any private property within the city limits of Eldon without the permission of the property owner.
- K. On a primary road extension through the city (Elm Street/Highway 16), but shall be allowed to cross a city street which is a primary road extension through the city. However, an all-terrain vehicle may be operated on a primary road extension for a parade that has received the appropriate licenses from the city and state.

- L. On the sidewalks of the city, any paved trail within the city, including Greenbelt Park and the American Gothic Trail, or any other location in the city posted as “no motorized traffic allowed”.
- M. By a minor.

All-terrain vehicles operated on city streets shall be equipped with adequate brakes and shall meet any other safety requirements imposed by the city council or the state of Iowa.

10.12.040 Violation - Penalty.

A violation of this chapter is a municipal infraction and any person violating any of the provisions of this chapter, shall be punished as provided in Chapter 1.12, in the discretion of the court.