

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON, TITLE VIII: TRAFFIC CODE, CHAPTER 812: STOP AND YIELD REQUIREMENTS; CHAPTER 815: PASSING MOVEMENTS; CHAPTER 818: SCHOOL BUSES; CHAPTER 822: PROCESSIONS AND PARADES; CHAPTER 823: DRIVING WHILE INTOXICATED; CHAPTER 825: OTHER VEHICLE OPERATION REQUIREMENTS; CHAPTER 840: PARKING REQUIREMENTS AND LIMITATIONS; CHAPTER 870: DRIVERS' LICENSES AND COMMERCIAL LICENSES; AND CHAPTER 880: PEDESTRIAN MOVEMENT REGULATIONS TO CLARIFY CAMDENTON TRAFFIC CODE AS PROMPTED BY MISSOURI DEPARTMENT OF REVENUE

WHEREAS, Missouri Department of Revenue requested that Camdenton review its City Code: Title VIII: Traffic Code, to clarify Traffic Code sections which they felt were difficult to interpret when processing violations of the Camdenton Traffic Code; and

WHEREAS, To comply with the request from Missouri Department of Revenue the Camdenton City Attorney and Camdenton Chief of Police have reviewed City Code: Title VIII: Traffic Code and recommends changes to comply with the review request from Missouri Department of Revenue, described in Explanation of Changes identified as Exhibit B.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON MISSOURI AS FOLLOWS:

Section 1. That the Code of the City of Camdenton, Title VIII: Traffic Code, Chapter 812: Stop and Yield Requirements; Chapter 818: School Buses; Chapter 822: Processions and Parades; Chapter 823 Driving While Intoxicated; Chapter 825: Other Vehicle Operation Requirements; Chapter 840: Parking Requirements and Limitations; Chapter 870: Drivers' Licenses and Commercial Licenses; and Chapter 880: Pedestrian Movement Regulations is hereby amended, as identified in Exhibit A attached to and made a part of this Ordinance.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval of the Mayor.

Section 3. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Read the first time March 3, 2009.

Read the second time and passed and approved this March 3, 2009.



Michael R. Wackerman, Mayor

ATTEST:


Brenda Colter, City Clerk

Exhibit A

SECTION 812.010: TRAFFIC CONTROL LIGHT

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

1. *Green indication.*

a. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

b. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement, indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

~~c. Unless otherwise directed by a pedestrian control signal as provided in this Chapter, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.~~

2. *Steady yellow indication.*

a. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

~~b. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided herein are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.~~

3. *Steady red indication.*

a. Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown except as provided in Paragraph (b) of this Subsection;

b. The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection except that the State Highways and Transportation Commission with reference to an

intersection involving a State highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

~~e.— Unless otherwise directed by a pedestrian control signal as provided in herein, pedestrians facing a steady red signal alone shall not enter the roadway.~~

4. *Flashing indication.* Flashing red (stop signal), when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign. Flashing yellow (caution signal), when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Ord. No. 1796-00 §1, 8-1-00)

SECTION 812.050: DRIVERS TO YIELD TO PEDESTRIANS IN CROSSWALKS

When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

SECTION 812.060: PASSING MOVEMENT AT PEDESTRIAN CROSSING

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (Ord. No. 1796-00 §1, 8-1-00)

SECTION 815.010: PASSING ON RIGHT OF ANOTHER VEHICLE

A. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn when there is sufficient width for two (2) or more lines of vehicles in each direction.
2. The driver of a motor vehicle may overtake and pass another vehicle upon the right only under the foregoing conditions when such a movement may be made in safety. In no event shall

such movement be made by driving off the main traveled portion of the roadway. For the purposes of this Section, the "main traveled portion of the roadway" shall not include any shoulder portion whether paved or not.

3. The provision of this Subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.

~~B. For the purposes of this Section, the "main traveled portion of the roadway" shall not include any shoulder portion whether paved or not. (Ord. No. 1796-00 §1, 8-1-00)~~

SECTION 818.010: DRIVERS TO STOP FOR SCHOOL BUSES

A.—The driver of a vehicle upon a highway upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any person and whose driver has in the manner prescribed by State 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. This Subsection shall not apply to vehicles travelling the opposite direction of the school bus on a highway with at least four (4) lanes of travel and a center turn lane. If any vehicle is witnessed by a Peace Officer or the driver of a school bus to have violated the provisions of this Section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation

~~B.—No driver of a school bus shall take on or discharge passengers at any location upon a highway consisting of four (4) or more lanes of traffic, whether or not divided by a median or barrier, in such manner as to require the passengers to cross more than two (2) lanes of traffic.~~

~~C.—If any vehicle is witnessed by a Peace Officer or the driver of a school bus to have violated the provisions of this Section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation. (Ord. No. 1796-00 §1, 8-1-00)~~

SECTION 818.030: LOADING OF BUSES

No driver of a school bus shall take on or discharge passengers at any location upon a highway consisting of four (4) or more lanes of traffic, whether or not divided by a median or barrier, in such manner as to require the passengers to cross more than two (2) lanes of traffic.

SECTION 822.010: DRIVING THROUGH PROCESSION OR PARADE

No driver of a vehicle shall drive between the vehicles comprising an authorized procession or parade unless instructed to do so by Police Officers, while they are in motion and when such vehicles are conspicuously designated as required in this Title. This provision shall not apply at intersections where traffic is controlled by traffic control signals or Police Officers. (Ord. No. 1796-00 §1, 8-1-00)

SECTION 822.015: DRIVING THOUGH FUNERAL PROCESSION

No driver of a vehicle shall drive between the vehicles comprising an authorized funeral procession while they are in motion unless instructed to do so by Police Officers.

SECTION 823.030: DRIVING WITH EXCESSIVE BLOOD ALCOHOL CONTENT

A. A person commits the crime of "driving with excessive blood alcohol content" if he/she operates a motor vehicle in this State with eight-hundredths of one percent (0.08%) or more by weight of alcohol in his/her blood. B. As used in this Section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred (100) milliliters of blood and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this Section, the test shall be conducted in accordance with the provisions of Sections 577.020 to 577.041, RSMo. (Ord. No. 1796-00 §1, 8-1-00; Ord. No. 1847-01 §1, 9-4-01)

SECTION 825.030: RIDING ON MOTORCYCLES, ADDITIONAL PASSENGER, REQUIREMENTS

A. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

B. A. The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one (1) person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one (1) person. Any motorized bicycle designed to carry more than one (1) person must be equipped with a passenger seat and footrests for the use of a passenger. (Ord. No. 1796-00 §1, 8-1-00)

SECTION 825.035: RIDING ON MOTORIZED BICYCLES, ADDITIONAL PASSENGER, REQUIREMENTS

The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one (1) person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one (1) person. Any motorized bicycle designed to carry more than one (1) person must be equipped with a passenger seat and footrests for the use of a passenger.

SECTION 840.065: STOPPING PROHIBITED

A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Police Officer or official traffic control device, no person shall stop a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
2. On a sidewalk;
3. Within an intersection;
4. On a crosswalk;
5. Alongside or opposite any street excavation or obstruction when stopping would obstruct traffic;
6. At any place where official signs prohibit stopping;
7. In front of a public or private driveway;
8. Within fifteen (15) feet of a fire hydrant or in a manner which would interfere with access to a fire hydrant by emergency personnel;
9. 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);

SECTION 840.070: STOPPING OR PARKING PROHIBITED

A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Police Officer or official traffic control device, no person shall stop or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
2. On a sidewalk;

3. Within an intersection;
4. On a crosswalk;
5. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
6. At any place where official signs prohibit ~~parking~~stopping;
7. In front of a public or private driveway;
8. Within fifteen (15) feet of a fire hydrant or in a manner which would interfere with access to a fire hydrant by emergency personnel;
9. Within twenty (20) feet of a crosswalk at an intersection;
10. Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway;
11. 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);
- ~~12. At any place where official signs prohibit standing.~~ (Ord. No. 1796-00 §1, 8-1-00)

SECTION 870.010: OPERATING WITHOUT VALID LICENSE

Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by Section 302.080, RSMo., to ~~1. Operate~~ any vehicle upon any highway in this State unless the person has a valid license.;

SECTION 870.011: OPERATING WITHOUT MOTORCYCLE QUALIFICATION

No person shall ~~2. Operate~~ a motorcycle or motortricycle upon any highway of this State unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle.

~~3. Operate a motor vehicle with an instruction permit or license issued to another person.~~
(Ord. No. 1796-00 §1, 8-1-00)

~~SECTION 880.020: PEDESTRIANS' RIGHT OF WAY IN CROSSWALKS~~

~~A. When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within~~

~~a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.~~

~~B. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.~~

~~C. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (Ord. No. 1796-00 §1, 8-1-00)~~

SECTION 880.030: PEDESTRIAN MOVEMENTS

A. Pedestrians shall move, whenever practicable, upon the right half (1/2) of crosswalks.

B. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb, or by the shortest route to the opposite curb except in a crosswalk.

C. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

D. No pedestrian shall cross a roadway intersection diagonally.

E. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

F. Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction and shall walk outside of the main traveled portion of the roadway.

G. ~~B.~~ No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

H. Unless otherwise directed by a pedestrian control signal as provided in this Chapter, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed with caution across the roadway within any marked or unmarked crosswalk.

I. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided herein are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

J. Unless otherwise directed by a pedestrian control signal as provided in herein, pedestrians facing a steady red signal alone shall not enter the roadway.

|(Ord. No. 1796-00 §1, 8-1-00)

Exhibit B.

Explanation of Changes:

The Department of Revenue has requested that several sections of our code be modified to fit within their requirements for computer coding of our violations. Mostly these involved situations in which we had multiple parts in a code violation. An overview of each change:

812.010: Moved 1.c., 2.b. and 3.b. to 880.030 (better fit in pedestrian movement section, not automobile traffic control light section).

812.050 & 812.060 – These sections were moved from parts of 880.020 that applied to vehicle movements and not pedestrian movements (880 is pedestrian)

815.010 – They didn't like the definition in part B so we added to part A.

818.010 – Divided 818.010 by adding part C to part A and separating part B to a separate code section 818.030 (relating to bus driver actions rather than other driver actions)

822.010 – Separated Parades & funeral processions into separate sections. Worked on language a little.

823.030 – Added definition to main body.

825.030 – Separated Motorcycles and Motorized Bicycles into separate code sections.

840.070 – Separated Stopping and Parking Activities into separate sections (new 840.065)

870.010 – Separated operating without a valid license (car) from (motorcycle)

880.020 – Moved those parts out – separating pedestrian (adding that to 880.030) from vehicle (see 812.050 and 812.060)

880.030 – moved in from 880.020 (pedestrian) and 812.010 (pedestrian)