

## Chapter 10

### MOTOR VEHICLES AND TRAFFIC<sup>1</sup>

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#### ARTICLE I. IN GENERAL

##### Sec. 10-1. Title 47 of statutes adopted.

(a) Title 47 of the Oklahoma Statutes, as now or hereafter enacted, is hereby adopted and incorporated in the Code of Ordinances of the City of Pauls Valley, Oklahoma, as if set out at length herein, for the purposes of establishing rules and regulations for the control of traffic within the city.

(b) Where a provision of this chapter is more restrictive than, or is inconsistent with Title 47 of the Oklahoma Statutes, such provision of this chapter shall be controlling.

(c) The definitions of words used in this chapter shall be the same as those definitions in Title 47 of the Oklahoma Statutes.

(d) A copy of said Title 47 shall be maintained in the office of the city clerk.

(Code 1977, § 21-1; Ord. 879, § 1, 6-27-00)

##### Sec. 10-2. Authority of city council to adopt regulations.

(a) The city council and the city manager are hereby empowered to adopt regulations necessary to make effective the provisions of this chapter and any other traffic or related ordinances of the city, and to adopt and enforce temporary regulations to cover emergencies or special conditions.

(b) No person shall willfully fail or refuse to comply with any lawful order or direction of the police chief, any policeman, fireman or any other authorized employee of the city.

(Code 1977, § 21-3)

##### Sec. 10-3. Obedience to chapter.

(a) *General public.*

- (1) It shall be unlawful for any person to authorize or knowingly to permit any vehicle registered in his name to be driven or be parked in violation of any provision of this chapter;
- (2) The parent or guardian of any child or ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

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<sup>1</sup> **Cross references**—Animals, Ch. 4; cemeteries, Ch. 6; fire prevention and protection, Ch. 7; licenses and business regulations, Ch. 9; parks and recreation, Ch. 14; streets, sidewalks and other public areas, Ch. 16; utilities, Ch. 18; municipal motor vehicle liability insurance, §§ 2-81 *et seq.*; house moving permit, § 5-50; traffic in cemeteries, § 6-20; vehicles for hire, §§ 9-91 *et seq.*; motor vehicle without license plate as nuisance, § 12-5.

**State law references**—Municipal traffic regulations, 11 O.S. § 22-117; motor vehicles generally, 47 O.S.; powers of local authorities, 47 O.S. §§ 15-102, 22-11; alteration of speed limits by local authorities, 47 O.S. § 11-803; instruction permits and restricted operators' licenses, 47 O.S. § 6-105; riding on motorcycles, 47 O.S. § 11-1103; maintenance and construction zones, 47 O.S. § 11-1302.

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(b) *Public officials and employees.*

- (1) The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, and any state, county, city or other governmental unit or agency, as well as to other vehicles; it shall be unlawful for any said driver to violate any of the provisions of this chapter, except as otherwise permitted in this chapter or by state law;
- (2) This chapter shall not apply to the military forces of the United States and organizations of the National Guard, when performing military duty.

(c) *Persons working on streets.*

- (1) Unless specifically made applicable, the provisions of this chapter, except those relating to reckless driving and driving while intoxicated, shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles and other equipment while actually engaged in construction, maintenance or repair of public utilities; provided, that all highway and public utility operations shall be protected by adequate warning signs, signals, devices or flagmen;
- (2) However, the provisions of this chapter shall apply to such persons and vehicles when traveling to or from such work.

(Code 1977, §§ 21-101–21-103)

**Cross reference**—Streets, sidewalks and other public areas, Ch. 16.

**State law reference**—Similar provisions, 47 O.S. § 11-105.

**Sec. 10-4. Traffic commission.**

(a) There shall be a traffic commission, consisting of the vice-mayor and four (4) members appointed by the mayor; their tenure in office shall be coterminous with the mayor and shall expire automatically with that of the mayor.

(b) It shall be the duty of the traffic commission to study and analyze traffic problems, including the adequacy of parking facilities and traffic-control devices within the corporate limits of the city. The traffic commission shall report their findings to the mayor and the city council on the specific traffic problems, including parking and traffic-control devices existing in the city, along with recommendations as to the best methods to alleviate and correct such conditions and problems.

(Code 1977, § 1-36)

**Cross reference**—Administration, Ch. 2.

**Sec. 10-5. Duties of policemen and firemen generally.**

(a) It shall be the duty of the police chief and any policeman:

- (1) To enforce the traffic regulations of the city and all of the state vehicle laws applicable to traffic in the city;
- (2) To make arrests for traffic violations;
- (3) To investigate accidents;
- (4) To cooperate with other municipal officials in the administration of the traffic laws and in developing ways to improve traffic conditions; and
- (5) To carry out those duties specifically imposed upon said officers by this chapter and any other traffic or related ordinances of the city.

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(b) The police chief and his assistants are hereby authorized to direct all traffic by voice, hand or signal, in conformance with traffic laws and ordinances. In the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, such officers may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws and ordinances.

(c) Firemen, when at the scene of a fire, may direct or assist the police in directing traffic.

(Code 1977, § 21-2)

**Cross references**—Police, § 2-38; fire prevention and protection, Ch. 7.

### **Sec. 10-6. Authority to inspect vehicles.**

Police officers shall have authority to inspect and test any vehicle upon the streets of the city, at any time, to determine whether it is safe and properly equipped, and whether its equipment is in proper adjustment and repair.

(Code 1977, § 21-107)

**State law reference**—Inspection by state public safety employees, 47 O.S. § 13-102.

### **Sec. 10-7. Violations—Residents.**

(a) Whenever a resident of the city is arrested for the violation of any ordinance, traffic or non-traffic, by a law enforcement officer, the officer shall immediately release such person if he acknowledges receipt of a citation by signing it, unless it reasonably appears to the officer that the person may cause injury to himself or others or damage to property if released or that the person will not appear in response to the citation. The citation shall contain the person's name, address, operator's license number, the registered license number of the motor vehicle involved and any other pertinent and necessary information, in a form prescribed by the mayor or his duly designated delegate. Said citation shall also state the traffic violation alleged to have occurred and shall notify the person to answer to the charge against him in the municipal court at a time not later than five (5) days thereafter, specified in the citation. The city manager may require that police officers use serially-numbered citations furnished by the city clerk and may also regulate the use and handling of citations.

(b) Whenever a resident of the city is arrested by a law enforcement officer for the violation of any ordinance and is not released by being permitted to sign a citation as provided in subsection (a) of this section, he shall be admitted to bail either before or after arraignment, or released on his own recognizance.

(c) If a violator of any provision of this chapter who has been given a citation as provided above, fails to appear in accordance with the instructions thereon, the police chief or his authorized agent shall send a letter or other written notice to the owner of the vehicle involved, informing him of the violation, warning him to appear and directing that, in the event such letter or notice is disregarded for a period of five (5) days, a complaint will be filed and a warrant of arrest issued; provided, that nothing in this section shall abridge the power to file a complaint against him prior to the expiration of such time.

(d) In the event any person fails to comply with the citation given to such person, the police chief shall have a complaint entered against such person before the municipal judge and the municipal judge shall issue a warrant for his arrest.

(Code 1977, §§ 13-16, 21-11)

**Cross references**—City manager, § 2-5; bail generally in municipal court, § 11-10.

**State law reference**—Arrest, release with temporary cash bond, 11 O.S. § 27-117.

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### **Sec. 10-8. Same-Nonresidents.**

If an alleged moving traffic violation or other ordinance violation is committed by a nonresident of this municipality, the police officer shall take him into custody, under arrest. The arrested person shall be taken immediately before the judge for further proceedings according to law or shall have bail fixed for his release in accordance with provisions of section 11-10 of this Code. Upon providing the bail as fixed, as provided in section 10-7 or section 11-10 of this Code, he shall be released from custody.

(Code 1977, § 13-16)

### **Sec. 10-9. Eluding police officer.**

Any operator of a motor vehicle who has received a visual and an audible signal (red light and a siren) from a police officer driving a motor vehicle, with insignia showing the same to be an official police, sheriff, highway patrol or state game ranger vehicle, directing the operator to bring his vehicle to a stop, and who willfully increases his speed or extinguishes his lights in an attempt to elude such police officer, willfully attempts in any other manner to elude the police officer or who does elude such police officer within the city, shall be guilty of an offense.

(Code 1977, § 21-106)

**Cross reference**--Offenses-miscellaneous, Ch. 13.

**State law reference**--Similar provisions, penalty, 21 O.S. § 540A.

### **Sec. 10-10. Permitting unlicensed driver to operate motor vehicle.**

It shall be unlawful and an offense for any person to permit an unlicensed driver to operate a motor vehicle within the corporate limits of the city.

(Code 1977, § 21-8)

### **Sec. 10-11. Accident reports.**

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to, or death of, any person, or damage to any vehicle or other property, to an apparent extent of more than three hundred dollars (\$300.00), shall, within ten (10) days after such accident, report such accident to the police chief or to the police department. Making out a written report of the accident to a police officer or in the office of the police department within ten (10) days after such accident (to be forwarded to the state department of public safety in accordance with the law), shall also be deemed compliance with this section.

(Code 1977, § 21-10)

**State law reference**--Accident report, 47 O.S. § 10-108.

### **Sec. 10-12. Speed.**

(a) No person shall drive any vehicle upon a street at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

(b) No person shall drive any vehicle, except an authorized emergency vehicle (as provided in this chapter), at a speed greater than the following:

- (1) Twenty-five (25) miles per hour on any street adjacent to any school, between 8:00 a.m. and 5:00 p.m., on days when school is in session, except as otherwise required by state authority;
- (2) Twenty-five (25) miles per hour on other streets and on streets adjacent to schools at other times than that specified immediately above, unless otherwise posted; or

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- (3) Thirty-five (35) miles per hour on all streets and highways within the corporate limits of the city which have been constructed or reconstructed with state or federal funds, where the city council has joint authority with the state highway commission to establish or alter speed limits.

(Code 1977, § 21-4)

**State law reference**--Speed limits, 47 O.S. § 11-801.

### **Sec. 10-13. Hazardous or slow-moving vehicles.**

No person shall drive any vehicle which is in such condition, so constructed or so loaded as to cause, or be likely to cause, a delay in traffic or constitute a hazard to persons or property, except by permit issued by the city manager.

(Code 1977, § 21-21)

### **Sec. 10-14. Riding or clinging to vehicles.**

No person shall ride upon any vehicle or portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or persons riding within truck bodies in space intended for merchandise.

(Code 1977, § 21-108)

### **Sec. 10-15. Processions; parades.**

(a) A funeral composed of a procession of vehicles shall be identified as such by the display of headlights.

(b) No driver of a 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 hereinabove. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(c) A police escort shall be furnished by the police department for all funeral processions through the city, for interment of any deceased person in Mount Olivett Cemetery of the city.

(d) It shall be the duty of any undertaker desiring such police escort to make a request therefor through the police chief.

(e) No funeral, procession or parade containing two hundred (200) or more persons or fifty (50) or more vehicles, except the military forces of the United States and the military forces of this state, shall occupy, march or proceed along any street except in accordance with a permit issued by the chief of police, and in conformance with such other regulations as are set forth herein, which may apply.

(Code 1977, § 21-112)

### **Sec. 10-16. Driving in marked-off area, etc.**

It shall be unlawful for any person to operate a motor vehicle on, in, across or over any barricaded, fenced-off, cabled-off or marked-off area along any city street and within any public park, or golf course in the city except for emergency and other authorized vehicles.

(Code 1977, § 21-115; Ord. No. 711, § 1, 4-15-80)

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### Sec. 10-17. Truck routes; securing load.

(a) The council by motion or resolution may prescribe routes through the city for the use of trucks in general or trucks of particular kinds, and other vehicles which are not ordinary private passenger vehicles, passing through the city. The city manager shall see that appropriate and adequate signs are placed along such routes so that drivers of such vehicles may follow the routes.

(1) No person shall operate any vehicle with a gross carry weight in excess of two (2) tons or a maximum GVWR rating of twelve thousand five hundred (12,500) pounds at any time upon any of the streets or parts of streets in the city, except those streets designated as truck routes;

(Ord. No. 958, Sec. 1, 12-8-2015)

(2) When signs are erected giving notice thereof, no person shall operate any commercial vehicle exceeding a carry weight in excess of two (2) tons or in excess of two (2) axles at any time upon any streets in the city, except those streets designated as truck routes;

Except that such vehicles may be operated thereon for the put-pose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.

(b) When such signs are so erected and in place, the driver of a truck or other vehicle for which a route has been prescribed as provided above, while passing through the city, shall keep on such route and shall not deviate therefrom except in cases of emergency. Drivers of such vehicles shall follow such routes so far as practicable also when driving within the city and not merely through the city.

(c) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, blowing or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(d) No person shall operate on any highway any vehicle with any load, unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders or other loose material susceptible to blowing or escaping by reason of wind shall have such load covered or dampened so as to prevent the blowing or escaping of said load from the vehicle.

(e) This section shall not apply to trucks loaded with livestock, poultry or agricultural products only, except baled agricultural products; provided, that any such truck shall be so constructed or loaded as to prevent such livestock or poultry from escaping therefrom.

(Code 1977, § 21-37; Ord. No. 706, § 1, 6-19-79)

**Cross reference**—Licenses and business regulations, Ch. 9.

**State law references**—Size, weight and load, 47 O.S. §§ 14-101 *et seq.*; local restrictions on right to use highways, 47 O.S. § 14-113.

### Sec. 10-18. Vehicles on airport runways.

(a) No vehicles, either motor-driven or operated by manpower or horsepower, shall use or be allowed upon the runways and taxi strips located upon the municipal airport, or within the area adjacent to the runways and taxi strips (except such areas as are designated for parking purposes), except airplanes and other authorized aircraft.

(b) The use of the airport, runways and taxi strips by the city and its authorized agents, for necessary service and repair trips and activities, and the operation of vehicles in connection with the servicing of aircraft, are excepted from subsection (a).

(Code 1977, §§ 12-1, 12-4)

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### **Sec. 10-19. Railroads--Street and alley improvement.**

(a) When a railway occupies any portion of a street with its tracks running in the general direction of such street, either on or adjacent thereto, the railway company shall improve the space between its tracks and two (2) feet on either side thereof in the same manner that the remainder of the street is to be, or has been, improved, or with such other satisfactory material as the city council by motion or resolution may approve.

(b) In case any railroad company occupies an alley with its track or tracks, the company shall improve, gutter, drain and grade such alley, and it shall be surfaced or paved with the same material which is to be or has been used on the alley, or with such other satisfactory material as the city council by motion or resolution may approve.

(c) When the tracks of any railroad company cross any street that is paved or being paved, the company shall pave as much of the street as is occupied by its track or tracks and two (2) feet on each side, using the same material as is to be or has been used on the street, or with such other satisfactory material as the city council by motion or resolution may approve.

(d) When more than one track crosses a street within a distance of one hundred (100) feet, measuring from inside rail to inside rail, the railroad company shall grade, gutter, drain, curb, pave, chat, gravel or improve the street area between its tracks, and surface or pave it with the same material which the city is to use or has used on the street.

(e) Railroad companies shall keep all such improvements made by them in good state of repair at all times.

(Code 1977, § 22-1)

**Cross reference**--Streets, sidewalks and other public areas, Ch. 16.

**State law references**--Similar provisions, 11 O.S. § 36-116; municipal regulation of railroads, 11 O.S. § 22-119.

### **Sec. 10-20. Same--Sidewalk construction.**

Railway companies shall construct sidewalks crossing their rights-of-way, using the same material as is used in adjacent sidewalks, insofar as this is practicable under the circumstances. They shall construct sidewalks on both sides of the streets when both sides are used by pedestrians. The companies shall keep such sidewalks in a good state of repair at all times.

(Code 1977, § 22-2)

**State law reference**--Authority for above section, 11 O.S. § 36-117.

### **Sec. 10-21. Reserved.**

**Editor's note**--Ord. No. 795, § 1, adopted Feb. 21, 1989, repealed former § 10-21, relative to the speed of trains, which derived from Code 1977, § 22-4.

### **Sec. 10-22. Same--Climbing on trains, etc.**

(a) It shall be unlawful for any person to climb upon, hold to, or in any manner attach himself to, any railway train, locomotive or railway car, while such is in motion within the city, unless such person is acting in the line of duty.

(b) It shall also be unlawful to board any train or railroad car (passenger, freight or other), except with a proper ticket or the permission of the person in charge of the train or car, or in the line of duty.

(Code 1977, § 22-3)

**State law references**--Trespassing on railway trains, 21 O.S. § 1365; forging railway ticket, 21 O.S. § 1587.

### **Secs. 10-23--10-35. Reserved.**

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## ARTICLE II. TRAFFIC-CONTROL DEVICES<sup>2</sup>

### Sec. 10-36. Signs generally.

No provisions of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

(Code 1977, § 21-43)

### Sec. 10-37. Classification, designation and marking of streets.

(a) The city council (by resolution) may adopt a street classification system for the city. Whenever such a system is adopted, it shall be the duty of the city manager to have placed and maintained stop signs, or if deemed more appropriate at any intersection, yield signs on each and every street involved in the implementation of the classification system, unless traffic at any intersection is controlled at all times by traffic-control signals.

(b) The city manager, subject to any direction the city council, by motion or resolution, may give, is hereby authorized to determine and designate intersections where a particular hazard exists, and to determine:

- (1) Whether vehicles shall stop at one or more entrances to any such intersection, in which event it shall cause to be erected a stop sign at every such place where a stop is required; or
- (2) Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersections, in which event, it shall cause to be erected a yield sign at every place where obedience thereto is required.

(c) Every stop and yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway.

(Code 1977, § 21-36)

**Cross reference**—City manager, § 2-5.

### Sec. 10-38. Installation of traffic-control devices.

The city manager, subject to any direction of the city council, by motion or resolution, may give, shall have placed and maintained traffic-control signs, signals and devices, when and as required under the traffic ordinances of the city, to make effective the provisions of such ordinances. Similarly, the city manager shall set time limits for parking in the downtown business district lying within that area bounded by Grant, Garvin, Walnut and Santa Fe streets.

(Code 1977, § 21-32; Ord. 930, §3, 2-24-09)

**Cross reference**—City manager, § 2-5.

### Sec. 10-39. Turn signs and indicators.

(a) The city manager, subject to any direction the city council, by motion or resolution, may give, is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event, the same shall be plainly indicated on said signs.

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<sup>2</sup>**Cross reference**—Unlawful removal of street barricades, § 16-23.

**State law references**—Traffic signs, signals and markings, 47 O.S. §§ 11-201 *et seq.*; respective powers of state and local authorities, 47 O.S. §§ 15-101 *et seq.*



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

(c) Unless otherwise indicated by such signs, a right turn on red or stop shall be permitted after the vehicle has come to a complete stop.

(Code 1977, § 21-33)

**Cross reference**—City manager, § 2-5.

### **Sec. 10-40. Designation and marking of crosswalks.**

The city manager, subject to any direction the city council, by motion or resolution, may give, shall have the authority to designate and maintain, by appropriate devices or lines upon the roadway, crosswalks at intersections or other places where in his opinion there is particular danger to pedestrians crossing the roadway, and safety zones or islands of such kinds and character, and at such places as he may deem necessary for the protection of pedestrians.

(Code 1977, § 21-38)

**Cross reference**—City manager, § 2-5.

### **Sec. 10-41. Designation and marking of one-way streets.**

Whenever the city manager designates any street, alley or part thereof as a one-way street or alley, he shall have placed and maintained signs giving notice thereof. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(Code 1977, § 21-40)

**Cross reference**—City manager, § 2-5.

### **Sec. 10-42. Marking of traffic lanes.**

The city manager, subject to any direction the city council, by motion or resolution, may give, is hereby authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary.

(Code 1977, § 21-41)

**Cross reference**—City manager, § 2-5.

### **Secs. 10-43–10-55. Reserved.**

## ARTICLE III. PARKING, STOPPING AND LOADING

### **Sec. 10-56. Fine; separate offenses.**

The fine for each parking offense described or referred to in this Code shall be established by a schedule of fines adopted pursuant to Section 11-3(c) of Chapter 11 of this Code. Every occurrence where a vehicle is parked in violation of this chapter or other ordinance shall be a separate punishable offense against the city.

(Ord. No. 697, § 1, 12-5-78; Ord. No. 761, § 1, 6-4-85; Ord. 931, § 1, 2-24-09)

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### **Sec. 10-57. Presumption of operation by owner in reference to illegal parking.**

(a) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(b) The foregoing stated presumption shall apply only when the procedure of giving a citation has been followed.

(Code 1977, § 21-12)

### **Sec. 10-58. Citation for violation; municipal court procedure; payment of fine.**

(a) The police department shall place on a vehicle that has violated any parking provision stated within this chapter a citation indicating: the violation committed; the amount of the fine if paid within two (2) business days and the appropriate places the fine may be paid if the violator decides to pay the fine without a judicial hearing.

(b) The police department shall keep a record of all citations issued and at any time after two (2) business days may mail to the violator a "Notice of Delinquent Citation." This notice shall inform the violator that he has failed to pay a prior citation or citations and that if he does not pay the same within seven (7) days from receipt of the notice, a warrant will be issued for the violator's arrest.

(c) The police department may file a complaint with the municipal court at any time after the seven-day due date given in the notice provided in paragraph (b) herein, to charge the parking violator with the offense or offenses charged in the citations given as provided in paragraph (a) herein. After the complaint is filed, the municipal court: shall issue a warrant for the arrest of the violator; shall indicate an appropriate bend for the offense or offenses committed; and shall indicate a date and time for hearing the charges brought by the police department against said violator-defendant.

(d) The city may provide drop boxes, in convenient city locations, in which charged violators may deposit their fines.

(Code 1977, §§ 13-16, 21-11; Ord. No. 693, §§ 1-4, 9-5-78; Ord. 930, §4, 2-24-2009)

### **Sec. 10-59. Reserved.**

**Editor's note**—Ord. No. 811, § 2, adopted Aug. 20, 1991, repealed former section 10-59 in its entirety which pertained to the impoundment and release of vehicles and derived from the Code of 1977, § 21-13.

### **Sec. 10-60. Certain parking prohibited.**

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

(1) Displaying such vehicle for sale; or

(2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

(b) No person shall park a vehicle within a street or alley in such a manner, or under such conditions, as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.

(c) The city manager, subject to any direction the city council, by motion or resolution, may give, is hereby authorized to establish parking time limits and to prohibit parking on designated **streets** and parts of streets, by having appropriate signs placed thereon. When such signs are in place, it shall be unlawful for any person to park a vehicle in violation thereof.

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- (d) No person shall park a vehicle on any street for a period of time longer than twenty-four (24) hours.
- (e) In the event a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs or marks are placed to permit such standing or parking. The city council, by motion or resolution, is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway, and to have signs or marks placed giving notice thereof.

(Code 1977, § 21-57)

**Cross reference**—City manager, § 2-5.

### **Sec. 10-61. Parking on left-hand side of one-way street.**

Every vehicle stopped or parked upon the left-hand side of a one-way street where there are adjacent curbs, shall be parked or stopped with the left-hand wheels parallel to, and within eighteen (18) inches of, the left-hand curb.

(Code 1977, § 21-59)

### **Sec. 10-62. Angle parking.**

(a) The city manager, subject to any direction the city council, by motion or resolution, may give, shall determine upon what streets and part of streets, angle parking shall be permitted and shall have such streets marked or signed.

(b) On those streets which have been so signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings or outside of the area enclosed by said markings.

(Code 1977, § 21-58)

**Cross reference**—City manager, § 2-5.

**State law reference**—Angle parking, 47 O.S. § 11-1004(c).

### **Sec. 10-63. Loading zones.**

(a) The city manager, subject to any direction the city council, by motion or resolution, may give, and is authorized to determine the location of passenger and freight curb loading zones, and shall have placed and maintained appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable. By the same authority, such loading zones may be changed or discontinued.

(b) When such a loading zone is established upon the request of any person, the city manager shall not have signs placed until the applicant has paid to the city an amount of money estimated by the city manager to be adequate to reimburse the city for all costs of establishing and signing the same.

(c) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect, and then only for a period not to exceed thirty (30) minutes.

(d) The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone, for the purpose of, and while actually engaged in, loading or unloading passengers, when such stopping does not interfere with any motor vehicle, used for the transportation of materials, which is waiting to enter, or about to enter, such zone.

(Code 1977, § 21-61)

**Cross reference**—City manager, § 2-5.

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### **Sec. 10-64. Permits for loading or unloading at an angle to the curb.**

The city manager is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein. The city manager may revoke such permits at any time.

(Code 1977, § 21-62)

**Cross reference**—City manager, § 2-5.

### **Sec. 10-65. Public stops and stands--Designation and establishment.**

The city manager, subject to any direction the city council shall give by motion or resolution, is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger common carrier motor vehicles on such public streets, in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public; every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs. By the same authority, such stops and stands may be changed or discontinued.

(Code 1977, § 21-63)

**Cross reference**—City manager, § 2-5.

### **Sec. 10-66. Same--Restricted use.**

No person shall stop, stand or park a vehicle, other than a bus, in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed; provided, that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter, or about to enter, such zone.

(Code 1977, § 21-64)

### **Sec. 10-67. Stopping, standing and parking of buses and taxicabs.**

(a) The operator of a bus shall not stand or park such vehicle upon any street, at any place, other than a bus stand so designated, as provided herein.

(b) The operator of a bus shall not stop such vehicle upon any street, at any place, for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated, as provided herein, except in case of an emergency.

(c) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb and the bus approximately parallel to the curb, so as not to unduly impede the movement of other vehicular traffic.

(d) The operator of a taxicab shall not stand or park such vehicle upon any street, at any place, other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping, in accordance with other stopping or parking regulations, at any place for the purpose of, and while actually engaged in the expeditious loading or unloading of passengers.

(Code 1977, § 21-65)

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### **Sec. 10-68. Trucks in city parking lot.**

(a) All trucks, including one-ton pickups and pickups of any larger size, shall be prohibited from parking in the city-owned parking lot located between the east 100 block of McClure and the east 100 block of Charles Street.

(b) All trucks, including one-ton pickups and pickups of any larger size, shall be prohibited from parking in the city-owned parking lot located between the west 100 block of McClure and the west 100 block of Charles Street.

(Ord. No. 681, § 2, 11-1-77)

**Cross reference**—Licenses and business regulations, Ch. 9.

### **Secs. 10-69–10-80. Reserved.**

## ARTICLE IV. BICYCLES

### **Sec. 10-81. Violations.**

(a) Every person convicted of a violation of any provision of this article shall be punished by a fine or by impoundment of such person's bicycle for a period not to exceed ten (10) days, or by a combination thereof.

(b) No person shall ride a bicycle upon a sidewalk within the central business district.

(c) 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.

(d) The police chief is authorized to have erected signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person. When such signs are in place, no person shall disobey the same.

(Code 1977, §§ 21-80, 21-131)

### **Sec. 10-82. Turns.**

Wherever authorized signs are erected indicating that no right, left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event, such person shall then obey the regulations applicable to pedestrians.

(Code 1977, § 21-81)

### **10-83. Parking.**

No person shall park a bicycle upon a street, other than:

(1) Upon the roadway, against the curb;

(2) Upon the sidewalk, in a rack to support the bicycle;

(3) Against a building; or

(4) At the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

(Code 1977, § 21-82)

### **Secs. 10-84–10-95. Reserved.**

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### ARTICLE V. PEDESTRIANS

**Sec. 10-96. Prohibited crossings.**

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

(b) No pedestrian shall cross at any place, other than a crosswalk, between adjacent intersections at which traffic-control signals are in operation.

(Code 1977, § 21-89)

**Sec. 10-97. Obedience to railroad signals.**

No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing, while such gate or barrier is closed or is being opened or closed. (Code 1977, § 21-90)

**Secs. 10-98–10.110. Reserved.**

### ARTICLE VI. IMPOUNDMENT OF VEHICLES<sup>3</sup>

**Sec. 10-111. Circumstances for removal and impoundment of vehicles.**

The city police department is authorized to remove and impound any vehicle to a storage yard only when there is a clear need to do so under the following circumstances:

- (a) When a report has been made that such vehicle has been stolen or taken without the consent of its owner, or is to be held as evidence of a crime committed;
- (b) When an officer has reason to believe the vehicle has been abandoned as defined in 47 O.S. Section 901 and Section 902 (when left on public property as a street or on shoulder of highway for forty-eight (48) hours);
- (c) At the scene of an accident, when the owner or driver is not in a position to take charge of his vehicle and direct or request its proper removal, and it constitutes a hazard or obstruction to traffic;
- (d) When the vehicle is left unattended upon a bridge, viaduct, causeway, tunnel, street or alley and it constitutes a hazard or obstruction to traffic;
- (e) When such vehicle has been involved in two (2) or more violations of the municipal traffic code, for which citations have been issued and the same have not been presented as required or paid as required, and said vehicle is again in violation of the parking or moving provisions of the traffic code;
- (f) When subsequent to a written complaint signed by the owner, occupant, or person in charge of private property, and the vehicle is parked on such private property without the consent of the owner, occupant, or person in charge thereof; and
- (g) When subsequent to a written complaint signed by the owner, occupant, or person in charge of private property, and the vehicle is found parked in front of, or blocking any private driveway or public alley.

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<sup>3</sup> **Editor's note**—Ord. No. 781, §§ 1-6, adopted Aug. 19, 1986, did not specifically amend the Code and at the discretion of the editor said provisions have been included herein as Art. VI, §§ 10-111–10-115.

**Cross references**—Certain public nuisances enumerated, § 12-5; streets, sidewalks and other public areas, Ch. 16.

## MOTOR VEHICLES AND TRAFFIC

- (h) Pursuant to established police department rules or policies as authorized by section 10-111.5 of this article.

(Ord. No. 781, § 1, 8-19-86; Ord. No. 811, § 1, 8-20-91)

### **Sec. 10-111.5. Chief of police to establish regular department rules for the impoundment of vehicles.**

In addition to the circumstances for impoundment of motor vehicles authorized by section 10-111 of this article, the chief of police is hereby authorized and empowered to establish regular department rules or policies regarding the impoundment of motor vehicles under circumstances not specifically enumerated in section 10-111 hereof. Said rules or policies shall be kept in written form and one (1) copy thereof shall be kept on file at the police station.

(Ord. No. 811, § 2, 8-20-91)

### **Sec. 10-112. Inventory of impounded vehicle; guidelines.**

(a) It shall be the duty of all police officers who impound motor vehicles as provided in this Code, to perform a uniform inventory of that vehicle for the purpose of protecting the officer and the city from the liability of vehicle damage and missing property.

(b) All inventories of impounded motor vehicles shall be performed as provided in written city police department guidelines.

(Ord. No. 781, §§ 2, 3, 8-19-86)

### **Sec. 10-113. Notice of impoundment.**

Immediately upon the impoundment of a vehicle under this Code, the city police department shall send a written notice to the vehicle owner of record according to the records of the Oklahoma Tax Commission, or to the owner under the records of the appropriate foreign agency on out of state vehicles. This notice shall be mailed first class, postage prepaid, or personally delivered to the registered owner of record and contain the following information:

- (a) The name, address, and telephone number of the Pauls Valley Police Department.
- (b) The location and address of the place of storage;
- (c) A description of the vehicle which shall include if available, the name or make of vehicle, the type, the manufacturer, the year model, the license plate number, and the vehicle identification number;
- (d) The authority and purpose for the removal or storage of the vehicle;
- (e) That the record owner is entitled to a hearing to determine the validity of the removal or storage only if requested;
- (f) To request a hearing, the record owner or his agency must request such hearing in person or in writing within ten (10) days of the date appearing on the notice before the municipal court; any such hearing shall be scheduled by the city court clerk within seventy-two (72) hours of the request, excluding weekends and holidays;
- (g) The municipal judge shall apply the law to the evidence and determine whether the vehicle removal and storage was justified;
- (h) If the removal is determined justified, the owner shall bear the cost of tow and storage; and
- (i) If the removal is determined unjustified, the City of Pauls Valley shall bear the cost of hookup and tow mileage, but all storage costs shall be waived by the tow operator as a condition of eligibility to respond to a service call request from the City of Pauls Valley.

(Ord. No. 781, § 6, 8-19-86)

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### **Sec. 10-114. Requirements for companies making impoundments.**

Companies making impoundments as provided herein shall comply in all respects with 47 O.S. Section 951 et seq. (must be a state licensed wrecker or towing service).

(Ord. No. 781, § 5, 8-19-86)

### **Sec. 10-115. Recovery of vehicle; payment of fees and costs.**

A vehicle impounded as provided herein shall be available to the owner or other person to whom it may be properly delivered only after such fine and costs as may be properly assessed by the municipal judge for the violation or violations for which such vehicle was impounded where applicable, and any reasonable costs of or charges for impounding and storage, shall have been paid.

(Ord. No. 781, § 4, 8-19-86)

### **Sec. 10-116. Storage fee for impounded vehicles stored on city property.**

For any vehicle duly impounded pursuant to this Code there is hereby assessed a fine in an amount established by the schedule of fines adopted pursuant to Section 11-3(c) of Chapter 11 of this Code. For any such vehicle stored on city property rather than at a private impound yard or similar facility, a storage fee shall be charged at the rate of twenty-five dollars (\$25.00) per day for each day such vehicle was so stored. Prior to the release of any such vehicle to the owner thereof or other person or entity claiming such vehicle pursuant to law, said fine, plus all actual costs of towing and/or impoundment shall be paid in full to the city clerk and a receipt therefor obtained from said clerk and presented to the chief of police or other duly authorized officer of the city responsible for releasing such vehicle.

(Ord. No. 821, § 1, 11-17-92; Ord. 931, § 2, 2-24-09)