

ORDINANCE NO. 130

AN ORDINANCE REGULATING TRAFFIC ON STREETS, DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES, PROVIDING FOR TRAFFIC SIGNS, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION 1. Definitions of Words and Phrases.-The following words and phrases when used in this Ordinance shall for the purpose of this Ordinance, have the meanings respectively ascribed, as follows, to-wit:

A (1) Vehicle. Every device, in, upon, or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power or used exclusively upon stationary rails or tracks.

(2) Motor Vehicle. Every vehicle which is self-propelled.

(3) Motorcycle. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(4) Motor-Driven Cycle. Every motorcycle, including every motor scooter with a motor which produces not to exceed 5 horsepower, and every bicycle with motor attached.

(5) Authorized Emergency Vehicle. Vehicles of the fire department, town marshal vehicles, and such ambulances and emergency vehicles as are designated or authorized by the town marshal.

(6) Bicycle. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 20 inches in diameter.

(7) Truck Tractor. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to

carry a load other than a part of the weight of the vehicle and load so drawn.

(8) Truck. Every motor vehicle designed, used, or maintained primarily for the transportation of property.

(9) Bus. Every motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(10) Trailer. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that not part of its weight and that of its load rests upon or is carried by another vehicle.

(11) Semi-Trailer. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

(12) Pole Trailer. Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

B (1) Explosives. Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains an oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases

that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

(2) Flammable Liquid. Any liquid which has a flash point of 70°F., or less, as determined by a tagliabus or equivalent closed-up test device.

C (1) Person. Every natural person, firm, co-partnership, association, or corporation.

(2) Pedestrian. Any person afoot.

(3) Driver. Every person who drives or is in actual physical control of a vehicle.

(4) Owner. A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale of (or) lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Ordinance.

D Police Officer. Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

E (1) Street. Every way set apart for public travel except foot paths.

(2) Private Road or Driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owners, but not by other persons.

(3) Roadway. That portion of the street or highway between the regularly established curb lines, or that part devoted to

vehicular traffic.

(4) Sidewalk. That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

(5) Through Street. The following street herein described <sup>is</sup> hereby declared to be a through street for the purpose of the traffic laws of the Town of Mills: River Drive. & *Wyo. Blvd.*

(6) Intersection. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

(7) Cross Walk. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

F (1) Official Traffic-Control Devices. All signs, signals, marking and devices which are placed or erected by authority of the ordinances of this town and the town marshall as hereinafter provided, for the purpose of regulating, warning, or guiding traffic.

(2) Traffic-Control Signal. Any device, whether manually, electrically, or mechanically operated, by which traffic is

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vehicular traffic.

(4) Sidewalk. That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

(5) Through Street. Every street or portion thereof at the entrances to which vehicular traffic from intersecting street is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this Ordinance. The following streets herein described are hereby declared to be through streets for the purpose of the traffic laws of the Town of Mills: River Drive.

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Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

F (1) Official Traffic-Control Devices. All signs, signals, marking and devices which are placed or erected by authority of the ordinances of this town and the town marshal as hereinafter provided, for the purpose of regulating, warning, or guiding traffic.

(2) Traffic-Control Signal. Any device, whether manually, electrically, or mechanically operated, by which traffic is

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alternately directed to stop and to proceed.

(3) Railroad Sign or Signal. Any sign, signal, or device erected by authority of the ordinances of this town or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

(4) Traffic. Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for purpose of travel.

(5) Right of Way. The privilege of the immediate use of the roadway.

G (1) Stop. When required means complete cessation from movement.

(2) Stop, Stopping, or Standing. When prohibited means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control sign or signal.

(3) Park. When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

SECTION 2. Provisions of Ordinance Refer to Vehicles Upon Streets--Exceptions.--The provisions of this Ordinance relating to the operations of vehicles refer exclusively to the operation of vehicles upon streets except:

1. Where a different place is specifically referred to in a given section.

2. ~~The provisions of Sections \_\_\_\_\_ to \_\_\_\_\_ shall apply upon streets and elsewhere throughout the Town of Mills.~~

SECTION 3. Obedience to Police Officers.--No person shall willfully fail or refuse to comply with any lawful order of direction

of any police officer invested by law with authority to direct, control, or regulate traffic.

SECTION 4. Public Officers and Employees to Obey Ordinance.--  
Exceptions.--(A) The provisions of this Ordinance applicable to the drivers of vehicles upon the streets shall apply to the drivers of all vehicles owned and operated by the United States, this State, or any county, city, town district, or any other political subdivision of the state, except as provided in this Section and subject to such specific exceptions as are set forth in this Ordinance with reference to authorized emergency vehicles.

(B) Unless specifically made applicable, the provisions of this Ordinance shall not apply to persons, motor vehicles, and other equipment while actually engaged in work upon a street but shall apply to such persons and vehicles when traveling to or from such work.

SECTION 5. Authorized Emergency Vehicles Operation.--(A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated.

(B) The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this Ordinance.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
3. Exceed the prima facie speed limits so long as he does not endanger life or property;

(C) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while

in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(D) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

SECTION 6. Traffic Laws Apply to Persons Riding or Driving Animals--Drawn Vehicles.--Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Ordinance except those provisions of this Ordinance which by their very nature can have no application.

SECTION 7. Obedience to Traffic Control Devices.--The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this Ordinance, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Ordinance.

SECTION 8. Flashing Signals.--(A) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(1) Flashing Red Stop Signal. When a red lens is illuminated with rapid intermittent flashes drivers of vehicles shall stop before entering the nearest cross walk 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.

(2) 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.

~~(B) This section shall not apply at railroad grade crossings.~~

~~Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in Section            of this Ordinance.~~

SECTION 9. Display of Unauthorized Signs, Signals, or Markings.--(A) No person shall place, maintain, or display upon or in view of any street any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(B) No person shall place or maintain upon any street any traffic sign or signal bearing thereon any commercial advertising.

(C) This Section shall not be deemed to prohibit the erection upon private property adjacent to street or signs giving useful directional information and of a type that cannot be mistaken for official signs.

(D) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the town marshal is hereby empowered to remove the same or cause it to be removed without notice.

SECTION 10. Interference with Official Traffic-Control

Devices or Railroad Signs or Signals.--No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

SECTION 11. Accidents Involving Damage to Vehicles.--Any driver of a vehicle involved in an accident with another vehicle, driven or attended by any other person, which accident results only in damage to such other vehicle, shall immediately stop such vehicle at the scene, or the proximity of the scene, of such accident and shall fulfill the requirements provided for in Section 12 of this Ordinance. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor.

SECTION 12. Accidents Involving Death or Personal Injuries.--The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

SECTION 13. Duty Upon Striking Unattended Vehicle.--

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

SECTION 14. Duty Upon Striking Fixtures Upon a Street.--

The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a street shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license.

SECTION 15. Reckless Driving.--Any person who drives any vehicle in wilful or wanton disregard for the safety of persons or property is guilty of reckless driving.

SECTION 16. Careless Driving.--Any person who drives any vehicle without due caution and circumspection or a speed or in such manner so as to endanger or be likely to endanger any person or property is guilty of careless driving.

SECTION 17. Driving While Under the Influence of Intoxicating Liquor.--It is unlawful for any person who is under the influence of intoxicating liquor to that degree which renders him incapable of safely driving a motor vehicle, to drive any motor vehicle within the Town of Mills.

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SECTION 18. Special Restrictions--Speed Limit--Speed Zones.--

(A) No person shall drive a vehicle on a street at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.

(B) Where no special hazard exists that requires lower speed for compliance with paragraph (A) of this Section the speed of any vehicle not in excess of the limits specified in this Section or established as hereinafter authorized shall be lawful, but any speed in excess of the limits specified in this Section or established as hereinafter authorized shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

(C) In zones where special hazards exist, the town marshal shall have authority to place "danger" and "go slow" signs to clearly mark said zones.

(1) Fifteen miles per hour:

(a) Basic speed limit in all alleys.

(2) Twenty miles per hour:

(a) Basic speed limit on all streets other than designated through streets.

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(B) Where no special hazard exists that requires lower speed for compliance with paragraph (A) of this Section the speed of any vehicle not in excess of the limits specified in this Section or established as hereinafter authorized shall be lawful, but any speed in excess of the limits specified in this Section or established as hereinafter authorized shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

(C) In zones where special hazards exist, the town marshal shall have authority to place "danger" and "go slow" signs to clearly mark said zones.

(1) Fifteen miles per hour:

(a) Basic speed limit in all alleys.

(2) Twenty miles per hour:

(a) When passing a school building, or the grounds thereof, or a school crossing, during school recess or while children are going to or leaving school during opening or closing hours, and providing that the presence of such school building, grounds thereof,

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(3) Thirty miles per hour:

(a) Basic speed limit on through streets.

SECTION 19. Minimum Speed Regulation.--No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

SECTION 20. Charging Violations and Rule in Actions.

(A) In every charge of violation of any speed regulation in this Ordinance the complaint shall specify the speed at which the defendant is alleged to have driven, also the prima facie speed applicable at the location.

(B) The provision of this Ordinance declaring prima facie speed limitations shall not be construed to relieve the plaintiff in any action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

SECTION 21. Drive on Right Side of Street--Exceptions.--

(A) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

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or school crossing is indicated plainly by signs or signals conforming to the provisions hereof.

(b) While turning any corner.

(3) Twenty five miles per hour:

(a) While crossing intersections or while passing through "danger" or "go slow" zones.

(b) Basic speed limit on all streets except those streets designated as "through streets."

(4) Thirty miles per hour:

(a) Basic speed limit on through streets.

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SECTION 21. Drive on Right Side of Street--Exceptions.--

(A) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(2) When the right half of a street is closed to traffic while under construction or repair.

SECTION 22. Passing Vehicles Proceeding in Opposite

Directions.-- Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and, upon streets having width for not more than one line of traffic, in each direction each driver shall give to the other at least one-half of the main-traveled portion of the street as nearly as possible.

SECTION 23. Overtaking a Vehicle on the Left.--The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(A) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street until safely clear of the overtaken vehicle.

(B) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

SECTION 24. When Overtaking on the Right is Permitted.--

(A) The driver of a vehicle may overtake and pass upon the right of another vehicle when the vehicle overtaken is making or about to make a left turn.

SECTION 25. Limitations On Overtaking On the Left.--No vehicle shall be driven to the left side of the center of the street in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle



approaching from the opposite direction or any vehicle overtaken.

SECTION 26. Through Streets.--Whenever any ordinance of this town designates and describes a through street, it shall be the duty of the town marshal to place and maintain a stop sign on each and every street intersecting that portion thereof described and designated as such by any ordinance of the Town of Mills.

SECTION 27. Hazardous Intersections.--The town marshal is hereby authorized to determine and designate intersections where particular hazards exist upon other than through streets and to determine whether vehicles shall stop at one or more entrances to any such stop intersection and shall erect a stop sign at every place where a stop is required.

SECTION 28. Stop Required.--When stop signs are erected as herein provided at or near the entrance to any intersection, every driver of a vehicle shall stop such vehicle at such sign or at a clearly marked stop line before entering the intersection except when directed to proceed by a police officer or a traffic-control signal.

SECTION 29. Method of Turning at Intersections.--The driver of a vehicle intending to turn at an intersection shall do so as follows:

(A) Right turns. Both the approach for the right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the street.

(B) Left turns on two-way streets. At any intersection where traffic is permitted to move in both directions on each street entering the intersection, an approach for a left turn shall be made in that portion of the right half of the street nearest

the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the street being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

SECTION 30. Starting Parked Vehicles.--No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

SECTION 31. Turning Movements and Required Signals.--

(A) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the street as required in Section 30 or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a street unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.

(B) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

"U" Turns.--

SECTION 32./ The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any through street, and shall not upon any street so turn a vehicle except at an intersection when it can be done with safety and without interference with other traffic.

the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the street being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

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(B) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

"U" Turns.--

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SECTION 33. Signals by Hand and Arm or Signal Device.--

(A) Any stop or turn signal when required herein shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device, except as otherwise provided in paragraph (B).

(B) Any motor vehicle in use on a street shall be equipped with, and required signal shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles.

SECTION 34. Method of Giving Signals--Turning--Stopping.--

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- (1) Left turn. Hand and arm extended horizontally.
- (2) Right turn. Hand and arm extended upward.
- (3) Stop and decrease speed. Hand and arm extended downward.

SECTION 35. Right of Way.--(A) The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different street.

(B) When two vehicles enter an intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

SECTION 36. Vehicle Turning Left at Intersection.-- The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this Ordinance, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

SECTION 37. Vehicle Entering Through Street or Stop Intersection.--(A) The driver of a vehicle shall stop at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection from said through street or which are approaching so closely on said through street as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through street shall yield the right-of-way to the vehicle so proceeding into or across through street.

(B) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through street and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

(C) The driver of a vehicle approaching a yield right-of-way sign shall slow to a speed of not more than ten miles per hour and yield right-of-way to all vehicles approaching from the right

or left on the intersecting street which are so close as to constitute an immediate hazard. If a driver is involved in a collision at an intersection or interferes with the movement of other vehicles after driving past a yield right-of-way sign, such collision or interference shall be deemed prima facie evidence of the driver's failure to yield right-of-way.

SECTION 38. Right-of-Way--Private Road.--The driver of a vehicle about to enter or cross a street from a private road or driveway shall yield the right-of-way to all vehicles approaching on said street.

SECTION 39. Operation of Vehicle on Approach of Authorized Emergency Vehicles.--(A) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of Section 5 of this Ordinance, or of a police vehicle properly and lawfully making use of an audible signal only; the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the street clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(B) This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street.

SECTION 40. 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 street within a cross walk when the pedestrian is upon the half of the street upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the street 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 cross walk or at any unmarked cross walk at an intersection to permit a pedestrian to cross the street, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SECTION 41. Crossing at Other Than Cross Walks.--(A) Every pedestrian crossing a street at any point other than within a marked cross walk or within an unmarked cross walk at an intersection shall yield the right-of-way to all vehicles upon the street.

SECTION 42. Drivers to Exercise Due Care.--Notwithstanding the foregoing provisions of this Ordinance every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any street and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a street.

SECTION 43. Emerging from Alley, Driveway or Building.--The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the street shall yield the right-of-way to all vehicles approaching on said roadway.

SECTION 44. Officers Authorized to Cause Removal of Vehicles Obstructing Traffic.--Whenever any police officer finds a vehicle unattended upon any street where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

SECTION 45. Stopping, Standing, or Parking Prohibited in Specified Places.--(A) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or 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) At any place where official signs prohibit stopping.

(B) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

SECTION 46. Parking Regulations. Except as otherwise provided in this Section every vehicle stopped or parked upon a street where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within 18 inches of the right-hand curb. *+ or property line.*

SECTION 47. Emerging on Left Hand Side of Car.--That any person emerging from the left hand or driver side of any motor vehicle into the line of traffic must not do so without exercise of caution and persons so emerging must give the right-of-way to approaching vehicles in the line of traffic.

SECTION 48. Parking on Private Property and Prohibited Areas.--It shall be unlawful for the operator of any vehicle to



drive or park upon any private property or any other property where driving and parking is prohibited by order of the town marshal, unless such operator has permission of the owner. Cost of removal of such vehicle will be borne by such trespassing vehicle's owner.

SECTION 49. Unattended Motor Vehicles.--No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key, and effectively setting the brake thereon, and, when standing upon any grade, turning the front wheels to the curb or side of the highway.

SECTION 50. Limitations on Backing Vehicles.--The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

SECTION 51. Motorcycles--Regulations.--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 person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear side of the operator.

SECTION 52. Obstructing Driver's View--Passengers.--(A) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(B) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

SECTION 53. Coasting Vehicles Prohibited.--(A) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.

(B) The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

SECTION 54. Following Fire Trucks Prohibited.-- The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

SECTION 55. Crossing Fire Hose.--No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway to be used at any fire, or alarm of fire, without the consent of the fire department official in command.

SECTION 56. Throwing or Depositing Harmful Objects on Streets Prohibited.--(A) No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such street.

(B) Any person who drops, or permits to be dropped or thrown, upon any street any destructive or injurious material shall immediately remove the same or cause it to be removed.

(C) Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

SECTION 57. Unsafe Vehicles Prohibited.--It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or property. -22- 130

SECTION 58. Head Lamps--Tail Lights.--Every motor vehicle operated upon the streets of this <sup>town</sup> ~~city~~ shall exhibit and have illuminated during the period of from one hour after sunset to one hour before sunrise, two headlamps, one on each side of said vehicle showing white or pale yellow tinted lights visible at least five hundred feet in advance of said vehicle. Such motor vehicle or any trailer attached thereto shall have attached to the rear not less than one lamp showing a red light visible at least two hundred feet in the rear of such vehicle and the same light or additional light casting white rays of sufficient strength on the rear license plate thereof, so that such license plate may be easily read at a distance of sixty feet; provided that each motorcycle shall be required to carry only one light in the front thereof which shall show white or yellow tinted rays visible at least five hundred feet in advance of said motor vehicle.

SECTION 59. Clearance Lights--Overhanging Loads.--Every motor truck the body of which exceeds six feet in width shall exhibit during the hours of darkness, in addition to the lights required of motor vehicles in Section 58 hereof, a white light on the left side of the machine defining the limit of the body thereof, or of the overhanging load if any there be, seen both from the front and rear of said vehicle. Every motor truck or vehicle carrying a load overhanging the rear of shall display a red flag at the extreme left rear end of said load during the day and a red light at the same point during the hours of darkness, such red flag to be not less than twelve inches both in length and width.

SECTION 60. Width Limit.--No vehicle in excess of eight feet in width or carrying a load which extends a greater distance at its maximum width shall be driven upon any street unless the driver thereof shall first obtain a written permit therefor from the town marshal.

SECTION 60A. Operation of trucks.--It shall be unlawful to drive or operate any truck which weights, together with its load, in excess of 8,000 pounds upon the streets of the Town of Mills other than upon designated through streets except when said truck is engaged in either making a pickup or a delivery to a point within the Town of Mills. In such instances, such truck shall proceed to the place of said pickup or delivery by the shortest possible route and return to said through streets by the shortest possible route.

SECTION 61. Spot-Lights.-- It shall be unlawful to use a spot-light on any motor vehicle upon any street within the town limits as a running light or driving light except in emergency; it shall be unlawful to use on any motor vehicle operated upon the streets of the town any lighting device except as permitted by the State Motor Vehicle Code of the State of Wyoming.

SECTION 62. Brakes.--(A) Brake Equipment required.

(1) Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a <sup>street</sup> ~~highway~~ shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(2) Every motorcycle and every motor-driven cycle, when operated upon a street, shall be equipped with at least one brake, which may be operated by hand or foot.

(3) Every trailer or semitrailer of a gross weight of 3,000 pounds or more when operated upon a street shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental break-away of the towed vehicle the brakes shall be automatically applied.

(4) Every new motor vehicle, trailer, or semitrailer hereafter sold in this town and operated upon the streets shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle or motor-driven cycle, and except that any semitrailer of less than 1,500 pounds gross weight need not be

equipped with brakes.

(5) One of the means of brake operation shall consist of a mechanical connection from the operating lever to the brake shoes or bands and this brake shall be capable of holding the vehicle, or combination of vehicles, stationary under any condition of loading on any upgrade or downgrade upon which it is operated.

(6) The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

(B) Performance ability of brakes. Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, shall, upon application of the service (foot) brake, be capable of decelerating and developing a braking force equivalent to such deceleration according to the minimum requirements set forth herein, and also of stopping within the distances set forth herein:

	Stopping distance in feet	Deceleration in feet per second	Equivalent braking force in percentage of combination weight
Passenger vehicles, not including busses ----			
Single-unit, 2-axle vehicles with a manufacturer's gross vehicle weight rating of 10,000 or more pounds-----	25	17	53.0%
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds -----	40	14	43.5%
	50	14	43.5%

Compliance with standards set forth herein shall be determined either:

(1) By actual road tests conducted on a substantially level (not to exceed a plus or minus one per cent grade), dry, smooth, hard-surfaced road that is free from loose material and with stopping distance measured from the actual instant braking controls are moved and from an initial speed of 20 miles per hour, or else (2) by suitable mechanical tests in a testing lane which recreates such same conditions or (3) a combination of both methods.

(C) Maintenance of brakes. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

SECTION 63. Horns and Warning Devices.--(A) Every motor vehicle when operated upon a street shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonable loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a street.

(B) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this Section.

(C) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the <sup>Town Marshall</sup> ~~chief of police~~, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when reasonably

necessary to warn pedestrians and other drivers of the approach thereof.

SECTION 64. Mufflers, Prevention of Noise.--(A) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle on a street.

(B) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

SECTION 65. Unnecessary Noise--Backfiring, etc.--It shall be unlawful for the operator of any vehicle in the Town of Mills to unnecessarily race his engine or backfire same or cause any other unnecessary engine noise.

SECTION 66. Mirrors.--Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the street for a distance of at least 200 feet to the rear of such vehicle.

SECTION 67. Vehicle Inspection and Test.--No person driving a vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by the town marshal of the Town of Mills.

SECTION 68. Parties to Violations.-- Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be a crime, whether individually or in connection with one or more other persons or as a principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly,



or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Ordinance is likewise guilty of such offense.

SECTION 69. State Driver's License Required.--It is unlawful for any person to drive a motor vehicle upon the streets of this town unless such person has a valid operator's license issued or recognized by the State of Wyoming, if such operator's license is required of such person under the laws of the State, or chauffeur's license if a chauffeur's license is required.

SECTION 70. Driver's Age.--No person under the age of fifteen (15) shall operate a motor vehicle upon any street of the town and no person owning any motor vehicle shall permit a person under fifteen years of age to operate same upon any street or streets of the town.

SECTION 71. State Motor Vehicle License Required.--Every vehicle at all times while being driven stopped or parked upon the streets of this city, shall be licensed in the name of the owner thereof in accordance with the laws of the State of Wyoming

SECTION 72. Offenses by Persons Owning or Controlling Vehicles.--It is unlawful for the owner, or other person, employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a street in any manner contrary to law.

SECTION 73. Penalty.--Any person violating any of the provisions of this Ordinance or any rule or regulation made by the town marshal pursuant thereto shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding one hundred (\$100.00) Dollars.

SECTION 74. Disposition of Fines.--All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this ordinance shall be paid into the town treasurer and by him deposited in the general fund of the town.

SECTION 75. Savings Clause.--If any section, sub-section, sentence or clause of this Ordinance is for any reason declared to be unconstitutional or in violation of the statute laws of the State of Wyoming, such decision shall not affect the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each section, sub-section, sentence and clause thereof, irrespective of the fact that any one or more sections, sub-sections, sentences or clauses be declared unconstitutional or illegal.

SECTION 76. All ordinances or parts of ordinances that are in conflict with the provisions of the above and foregoing ordinance be and the same are hereby repealed.

(Seal)

(Sign) \_\_\_\_\_  
Mayor

(Attest) \_\_\_\_\_  
Town Clerk

I, Norene Reed, Town Clerk of the Town of Mills, do hereby certify that the foregoing is a true and correct copy of Ordinance No. \_\_\_\_\_, entitled: "AN ORDINANCE REGULATING TRAFFIC ON STREETS, DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES, PROVIDING FOR TRAFFIC SIGNS, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT HEREWITH" passed by the Town Council of the Town of Mills at a meeting held at the Council chamber of the town hall, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Sign) \_\_\_\_\_  
Town Clerk

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this Ordinance No. \_\_\_\_\_ approved and passed as certified above, were, following its

passage by the Town Council, posted up in three public places within the Town of Mills for a period of ten days, as required by law; and that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(Sign) \_\_\_\_\_  
Town Clerk