

ORDINANCE NO. 760

AN ORDINANCE REPEALING THE EXISTING TITLE 10 ON VEHICLES AND TRAFFIC IN ITS ENTIRETY AND REPLACING IT WITH A NEW TITLE 10 ON GENERAL OFFENSES

WHEREAS, The City of Mills, Wyoming has had the occasion to review Title 10 of its Ordinances and to revise the same; and

WHEREAS, after said review and due deliberation, the City of Mills has decided that the attached text better serves the needs of the public and the City of Mills as of the current date;

NOW THEREFORE, The City Council of the City of Mills hereby repeals the entire exiting Title 10 and replaces the same with the attached text, which shall be the new Title 10 upon the effective date of adoption

This ordinance shall be in full force and effect upon passage on three readings and publication.

PASSED on 1st reading the 9th day of March, 2021.

PASSED on 2nd reading the 25th day of March, 2021.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this 13th day of 2021 April, 2021.

TOWN OF MILLS, WYOMING

Seth Coleman, Mayor

Sara McCarthy, Council

Darla R. Ives, Council

James Hollander, Council

Brad Neumiller, Council

ATTESTED: Christine Trumbull, Town Clerk



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TITLE 10
VEHICLES AND TRAFFIC

Chapters:

- 10.04 Uniform Act Regulating Traffic on Highways
- 10.08 Administration and Enforcement
- 10.12 Licensing, Registration and Insurance
- 10.16 Traffic – Control Devices
- 10.20 Vehicle Equipment and Operation
- 10.24 Speed Limits and Speed Zones
- 10.28 Turning Movements
- 10.32 Through Streets, Stop Signs and Yielding Right-of-Way
- 10.36 Parking
- 10.52 Careless Driving and Driving Under the Influence
- 10.56 Accidents
- 10.60 Impoundment and Abandoned Vehicles
- 10.64 Bicycles, Toy Vehicles, Rollerblades, In-Line Skates, Roller Skates, Snowboards, Skis, Rollerskis, Scooters, Coasters, Skateboards and Similar Devices
- 10.68 Motorcycles and Off-Road Vehicles
- 10.72 Parades and Funeral Processions
- 10.76 Pedestrians
- 10.80 Play Streets
- 10.88 Truck Traffic

CHAPTER 10.04
UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

10.04.010 - Uniform Act adopted.

The Uniform Act Regulating Traffic on Highways, Wyoming Statutes, as amended from time to time, §31-5-101 to §31-5-1701 *et seq.* and all parts of those articles is adopted by the Town of Mills. These State laws are adopted by reference and incorporated in this section as if set out in full. Periods of imprisonment are specifically abrogated except for those identified within W.S. §31-5-233. Amendments and additions passed by the State of Wyoming shall automatically be adopted into this section where applicable. (*Ord. No. 677; 7-27-2016*)

10.04.020 - Uniform Act - Sections not adopted.

It is recognized certain sections of the Uniform Act would not be applicable to the Town of Mills. Sections, which are not applicable and are inconsistent or out of character with the Town of Mills are not adopted.

Article 3 – Speed Regulations - The Uniform Act is modified where the Town of Mills has posted speed regulations inconsistent with Article 3.

Article 6 – Pedestrians Rights and Duties is adopted as applicable to the Town of Mills.

Article 10 – Size and Weight Limits is adopted where applicable to the Town of Mills. It is recognized State highways intersect the Town of Mills and the Town of Mills has been given the authority to enforce laws upon those roadways.

Article 15 – Motorcycle Safety Education Program – is not adopted. (*Ord. No. 677; 7-27-2016*)

10.04.030 - Local provisions relating to right-of-way in crosswalks.

(a) Except as provided in subsection E of this section, 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 yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard. As soon as it is possible to safely cross a roadway within a crosswalk, a pedestrian shall promptly do so by the most direct route. No person shall stand or loiter in or near a crosswalk if such act interferes with the lawful movement of traffic.

(c) Subsection A of this section does not apply under the conditions stated in Section 31-5-603(b) of the Wyoming Statutes.

(d) Whenever any vehicle is stopped at a marked crosswalk, or at any unmarked crosswalk, at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(e) At designated or marked school crosswalks, when pedestrians are in the crosswalk or waiting to enter the crosswalk, the driver of a vehicle shall yield the right-of-way to the pedestrian by stopping before entering the crosswalk, and shall remain stopped until the pedestrian has crossed the roadway; provided, however, that this subsection shall not apply to the drivers of vehicles which are upon roadways divided by a median, if pedestrians are not crossing, or waiting to cross, that portion of the roadway upon which the driver's vehicle is traveling.

Chapter 10.08

ADMINISTRATION AND ENFORCEMENT

10.08.010 - Regulations and enforcement—Police chief authority.

The Chief of Police by and with the approval of the Town administration is empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the Town and to make and enforce temporary or experimental regulations to cover emergencies or

special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety days.

10.08.020 - Vehicles not to be operated contrary to law.

It is unlawful for the owner, or any 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.

Article I. - Traffic Division

10.08.030 - Establishment.

There may be established in the police department a traffic division to be under the control of an officer of police appointed by and directly responsible to the Chief of Police.

Where a traffic division has not specifically been created the existing Police Department shall be deemed to be the traffic division.

Article II. - Traffic Court

10.08.110 – Mills Town Court.

The Mills Town Court shall sit as the traffic court for the Town of Mills.

10.08.120 - Duties and responsibilities.

The following duties are imposed upon the traffic violations bureau with reference to traffic offenses:

(a) It shall accept designated fines, issue receipts and represent in court such violators as are permitted and desire to plead guilty, waive court appearance and give power of attorney.

(b) It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.

(c) It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding twelve months, whether such guilt was established in court or in the traffic violations bureau.

10.08.130 - Fines—Schedule to be Set by Mills Judge.

A violation of any provision of this section is guilty of a misdemeanor and is subject to the provisions as set forth in Title 1 of this Code, as amended. The Mills Judge who hears traffic cases shall designate the specified offenses under this chapter and other ordinance of the Town

and the state traffic laws in respect to which payments of fines may be accepted by the Court Clerk in satisfaction thereof, and shall specify by suitable schedules the amount of such fines for first, second and subsequent offenses, where authorized, and not otherwise inconsistent with this Code or state statute, provided such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the Mills Judge and those whose appearance may be forfeited in lieu of the payment of the bond.

Such schedule of fines, where authorized, may be amended from time to time as is consistent with the authority of the Mills Judge and consistent with the general penalties provided in Title 1. Any penalty which may be imposed shall be consistent with the schedules in place and in effect at the time of the commission of the offense.

10.08.150 - Fines—Optional procedures.

Any person charged with a traffic offense for which payment of a fine may be made to the Court Clerk shall have the option of paying such fine within the time specified in the citation at the Clerk of the Mills Court upon entering plea of guilty and upon waiving appearance in court, or may have the option of depositing required lawful bail and upon a plea of not guilty shall be entitled to a trial as authorized by law.

10.08.160 - Fines—Payment deemed acknowledgment of conviction of offense.

The payment of a fine to the Clerk of the Mills Court shall be deemed an acknowledgment of conviction of the alleged offense, and the Clerk of the Mills Court, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.

10.08.170 - Fines—Disposition.

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 chapter shall be paid to the Clerk of the Mills Court and will be turned over to the Town Treasurer and by him deposited in the general fund of the town.

Chapter 10.12
LICENSING, REGISTRATION AND INSURANCE

10.12.010 - Operator's License Required.

It is unlawful for any person to drive, steer or exercise any degree of physical control of any motor vehicle or a vehicle being towed by a motor vehicle upon the streets of this Town unless such person has in his possession a valid operator's license issued or recognized by the state for the class and type with applicable endorsements valid for the motor vehicle being driven.

10.12.020 - State registration and licensing required.

It is unlawful for any person to own or operate a motor vehicle upon the public streets, alleys or highways of the Town without first having registered the vehicle, obtained a license therefore and affixed thereto such license plates as are required, all in accordance with the applicable laws of the state pertaining to the licensing and registering of motor vehicles, as such laws now exist and as the same may from time to time be amended.

10.12.030 - Driver's license—Restrictions.

It is a misdemeanor for any person:

- (a) To display or permit to be displayed, or have in his possession, any cancelled, revoked, suspended, fictitious or fraudulently altered driver's license;
- (b) To lend his driver's license to any other person or knowingly permit the use thereof by another;
- (c) To display or represent as one's own any driver's license not issued to him;
- (d) To fail or refuse to surrender to the department upon lawful demand any driver's license which has been suspended, revoked or cancelled;
- (e) To use a false or fictitious name in any application for a driver's license or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any application.

10.12.040 - Driving While License Suspended or Revoked Prohibited.

(a) It is unlawful and punishable, as provided in subsection B of this section, for any person to operate a motor vehicle within the corporate limits of the Town, or within any area over which the Town has jurisdiction, at a time when his privilege to do so is cancelled, suspended or revoked.

10.12.050 - Failure to Maintain Liability Coverage—Exceptions.

(a) No owner of a motor vehicle required to be registered shall operate or permit the operation of a motor vehicle without having in full force and effect a motor vehicle liability policy in amounts provided by Section 31-9-405(b) of the Wyoming Statutes or a bond in amounts provided by Section 31-9-102(a)(xi) of the Wyoming Statutes.

(b) Any police officer issuing a citation for any moving violation, or inspecting any vehicle, shall require the operator of any motor vehicle required to be registered to produce evidence that the operator or owner of the motor vehicle has in full force and effect a motor vehicle liability policy as required in subsection A of this section. Any operator or owner of a motor vehicle required to be registered who is not able to demonstrate evidence of compliance

with subsection A of this section may be charged with violating that subsection. The displaying or exhibiting of a validly issued insurance identification card by an operator or owner of the motor vehicle constitutes compliance with this section. No operator or owner of a motor vehicle charged with violating this section shall be convicted if he produces in court one of the following which was valid at the time of arrest or at the time the citation was issued:

- i. A liability policy previously issued to him;
- ii. Evidence of a bond on file with the department in amounts provided by Section 31-9-102(a)(xi) of the Wyoming Statutes.

This section does not apply to:

- i. Self-insurers pursuant to Section 31-9-414 of the Wyoming Statutes;
- ii. A vehicle owned by a nonresident and registered in another jurisdiction provided, the vehicle is covered by an automobile insurance policy complying with the laws of the jurisdiction in which it is registered.

Chapter 10.16
TRAFFIC-CONTROL DEVICES

10.16.010 - Analysis, installation and maintenance authority.

It shall be the general duty of the Chief of Police to determine the installation and proper timing and maintenance of official traffic-control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct investigation of traffic conditions and to cooperate with other town officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by this chapter and other ordinances of the Town.

10.16.020 - Testing of Official Traffic-Control Devices.

The Chief of Police may test official traffic-control devices under actual conditions of traffic.

Chapter 10.20
VEHICLE EQUIPMENT AND OPERATION

10.20.020 - Width restrictions.

No vehicle in excess of eight (8) feet six (6) inches 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 Chief of Police.

10.20.030 - Exiting from left-hand side of vehicle.

Any person emerging from the left-hand side 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.

10.20.050 - Unnecessary Engine Noises Prohibited.

It is unlawful for the operator of any vehicle in the Town to unnecessarily race his engine or backfire same or cause any other unnecessary engine noise.

10.20.060 - Use of Engine Compression Brakes Prohibited.

No person shall operate or use any vehicle engine compression brake within the corporate limits of the Town.

10.20.060 - Spotlights.

(a) It is unlawful to use a spotlight on any motor vehicle upon any street within the Town limits as a running light or driving light except in emergency.

(b) It is 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.

10.20.070 - Riding upon motor vehicles prohibited when.

(a) No person shall ride on a motor vehicle, upon any portion thereof, not specifically designed for the use of passengers for such purpose, or while driving, or in control thereof, allow a person to so ride. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to a person or persons riding within truck bodies in space intended for cargo. For the purpose of this section, riding shall be considered standing, sitting, kneeling, crouching or lying upon the motor vehicle. This section shall not apply to participants riding or driving in a duly permitted parade.

10.20.075 - Emergency road closure.

(a) The driver of a motor vehicle, upon approaching a street or traffic lane(s) which is closed or blocked off by the Mills Police Department, Mills Fire Department, Natrona County sheriff's office, Wyoming Highway Patrol, ambulance, or any other readily identifiable emergency or law enforcement vehicles, flares, cones, traffic barricades, or any readily identifiable emergency or law enforcement personnel, shall not drive around or pass through same unless directed to do so by a law enforcement officer, fire personnel, or community service officer.

10.20.080 - Speed or acceleration contest or exhibition—Penalty.

(a) No person shall engage in any motor vehicle speed or acceleration contest, or exhibition of speed, or acceleration, on any street or highway without approval of the governing body of the Town. No person shall aid or abet in any such motor vehicle speed or acceleration contest or exhibition on any street or highway in violation of this section.

10.20.090 - Obstructing intersections and crosswalks.

No driver or operator of a motor vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space at the other side of the intersection or crosswalk to accommodate the entire vehicle he is driving or operating, without it obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indicating to proceed.

Chapter 10.24
SPEED LIMITS AND SPEED ZONES

10.24.010 - Twenty Mile per Hour speed zones.

The speed limit in the Town of Mills shall be twenty (20) miles per hour unless otherwise posted.

10.24.020 – Authority of Chief of Police to Determine Speed Limits.

The Chief of Police shall have the authority to impose another speed limit where appropriate after consultation with other appropriate department heads.

10.24.030 – School Zones.

The Chief of Police shall have the authority to determine the existence and placement of school zones where appropriate after consultation with other appropriate department heads.

10.24.040 - Regulation of speed limits and zones for alleys.

The posted speed limit for alleys shall be fifteen miles per hour. "Alleys" shall be defined as a minor private or public thoroughfare, other than a dedicated half street, which is less than thirty feet wide which the rear of land or building lots generally abut, and which affords a secondary means of vehicular access to the land, building or lots.

Chapter 10.28
TURNING MOVEMENTS

10.28.020 - U-turns.

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

Chapter 10.32
THROUGH STREETS, STOP SIGNS AND YIELDING RIGHT-OF-WAY

10.32.010 - Through streets—Declared and defined.

Every street or portion thereof at the entrances to which vehicular traffic from the intersecting street is required by law to stop before entering or crossing the same and when stop signs are erected as provided in Section 10.32.030 is declared to be a through street.

10.32.050 - Hazardous Intersections.

The Chief of Police is 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.

10.32.070 - Yield right-of-way sign defined.

A "yield right-of-way" sign is a sign bearing the phrase "yield" and is trapezoidal in shape.

10.32.080 - Yield right-of-way signs—Chief of Police to determine locations.

The Chief of Police is authorized to determine and designate intersections where a particular hazard exists and to determine whether vehicles on one of the intersecting streets shall yield the right-of-way to vehicles and pedestrians on the other street or streets, and to erect a yield sign in every place where such sign is needed.

10.32.090 - Yield right-of-way intersection—Speed limits.

- (a) The driver of a vehicle approaching a yield 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 streets which are so close as to constitute an immediate hazard.
- (b) Any speed greater than ten miles per hour past a yield sign is prohibited.

10.32.100 - Yield right-of-way intersection—Collision deemed prima facie evidence.

If a driver is involved in a collision at an intersection or interferes with the movement of other vehicles or pedestrians after driving past a yield sign, such collision or interference shall be deemed prima facie evidence of the driver's failure to yield right-of-way.

Chapter 10.36
PARKING

10.36.010 - Delegation of Authority.

The Chief of Police, by and through his or her designee, is hereby authorized to, in accordance with appropriate state and federal statutes, rules and regulations, designate and post prohibitions, limitations, regulations and exceptions thereto, regarding parking motor vehicles within the Town limits of Mills.

10.36.020 – Parking; General prohibitions.

(a) In addition to any specific regulations adopted pursuant to the above-granted delegation of authority, it shall be unlawful to park a motor vehicle within the Town limits of Mills:

- i. At any place, time or manner prohibited by the Mayor or his or her designee;
- ii. On a sidewalk;
- iii. In a parkway, without a properly displayed permit;
- iv. In front of a public or private driveway or garage entrance on a street or in an alley;
- v. Within an intersection;
- vi. Within fifteen feet of a fire hydrant;
- vii. On a crosswalk;
- viii. Within twenty feet of a crosswalk or an intersection, unless otherwise permitted by the Town engineer;
- ix. Within thirty feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- x. Within twenty feet of the nearest rail of a railroad crossing;
- xi. Within twenty feet of the driveway entrance to any fire station;
- xii. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- xiii. On the roadway side of any vehicle stopped or parked at the edge of the curb of a street (double parked);
- xiv. In any underpass within the Town;
- xv. At any place where official regulatory signs prohibit stopping, standing or parking, except as set forth on and in compliance with said regulatory sign;
- xvi. Adjacent to any portion of an official painted yellow curbline, except where regulated by, and in conformance with, a regulatory sign;

- xvii. In any manner that is not parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the outside wheels of the vehicle more than eighteen inches from the curb or edge of the roadway, except where marked for diagonal parking, where the vehicle must be parked with the outside front wheel of the vehicle within six inches of the curb or edge of the roadway;
- xviii. In a manner that allows less than ten feet of the width of the roadway for free movement of vehicular traffic;
- xix. In a manner that allows less than fifteen feet of the width of the alley for free movement and unobstructed access to public utilities and refuse containers;
- xx. Upon any roadway for the principal purpose of displaying such vehicle for sale; or, washing, greasing or repairing such vehicle except repairs necessitated by an emergency;
- xxi. Upon any private property, without permission of the owner of said private property;
- xxii. In a permanent reserved space of any kind, without proper permits and proper display of said permits;
- xxiii. In a handicapped parking space without valid and properly displayed handicapped parking permits, tags or license plates;
- xxiv. In a marked bus stop; and
- xxv. In a publicly owned parking lot in violation of posted limits, restrictions or permit requirements.

(b) No person shall park any commercial vehicle which is longer than twenty-five (25) feet in length, or wider than eight (8) feet six (6) inches in width, or any truck tractor, or any semitrailer, upon any street or alley in the Town, except in those areas designated as business and in the industrial areas on the zoning district map of the Town, except when such commercial vehicles, truck tractors or semitrailers are in the process of loading or unloading at the site of origin or delivery of shipments, No person shall park any commercial vehicle, truck tractor, or semitrailer of any dimensions, loaded with live animals, or any hazardous material as defined by U.S. Department of Transportation regulations. A commercial vehicle of twenty-five (25) feet or less in length may only be parked in front of the vehicle owner's property, or where the driver of the vehicle has business.

(c) No person shall park any recreational vehicle, as defined in this chapter, on any street within the Town for a period in excess of five days in any thirty-day period.

- i. The owner of any such recreational vehicle may apply to the Town for permit to park the recreational vehicle on a public street in front of the lot owned by him. If the Chief of Police determines that there is insufficient space or access to the lot for storage of such unit, then he shall notify the applicant, who shall obtain the signatures of four of the five lots adjacent to and across the street from the applicant agreeing to the parking of such vehicle. The petition shall be presented to the Chief of Police before a permit to park on the street will be approved. The five lots shall mean the

two lots immediately adjacent on the same side of the street (one on each side) and the three lots immediately across the street. A permit allowing parking of such vehicle shall not be issued for parking on an Arterial or Collector Street, as designated by the Chief of Police.

- ii. Permits are good for one, five-month consecutive period in a calendar year and can be renewed annually if no objections have been received from adjoining property owners. The fee for such permit or the renewal of the permit shall be as approved by a resolution of the council.
- iii. The use of a recreational vehicle as a dwelling when parked on private property or on a public street be limited to five (5) days in any sixty (60) day period, except when parked at any recreational vehicle park.

(d) No person shall park on certain designated snow route streets during a snow emergency. Snow route streets may be determined by the Town Council by resolution.

(e) It shall be unlawful for any person to own, store, park or otherwise maintain a motor vehicle upon the public streets, alleys or highways of the Town without first having registered the vehicle, obtained a license therefor and affixed thereto such license plates as are required, all in accordance with the applicable laws of the state pertaining to the licensing and registering of motor vehicles, as such laws now exist and as the same may from time to time be amended.

(f) At any corner formed by the intersecting streets, it shall be unlawful to park any recreational vehicle, as defined in this chapter, within the triangle formed by the intersection of the curb face of the extended curb lines, measured back a distance of thirty feet with a line drawn to form a right triangle.

(g) It shall be unlawful for any person to remove, erase, deface, obliterate or render unusable for the purpose of enforcement of this chapter or the provisions outlined in the parking ordinances of the Town of Mills, Wyoming, as may be amended from time to time by resolution of the Town Council, any chalk mark, marker, or other indicator placed on a vehicle or any portion thereof by an authorized representative of the Town for the purpose of measuring the passage of time or the movement of a vehicle stopped, standing or parking on any street, or in any parking lot or structure, or portion thereof.

10.36.030 - Recreational vehicle—Defined.

- (a) For purposes of this chapter, "recreational vehicle (RV)" means any of the following:
 - i. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, in accordance with ANSI Standards Bulletin No. 119-A;

- ii. A pickup camper, meaning a structure designed to be mounted on a truck chassis, for use as a temporary dwelling for travel, recreation and vacation;
- iii. A motor home, meaning a portable, temporary dwelling, to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle;
- iv. A camping trailer, meaning a structure mounted on wheels and designed for travel, recreation and vacation use; or
- v. Any boat, boat trailer, van trailer, utility trailer, horse trailer, or trailer of any type.

10.36.040 - Vehicle removal authorized when.

Whenever any police or code enforcement officer finds a vehicle upon a street or highway or in a restricted parking area in violation of the provisions of this chapter, such officer is authorized to move such vehicle, or require the driver or other person in charge of vehicle to move the same. Should the officer not be able to move the vehicle or find the person in charge of the vehicle, the officer is authorized to have the vehicle towed and impounded.

When a vehicle is left parked in the same place continuously for seventy-two (72) hours, any police or code enforcement officer is authorized to impound the vehicle.

10.36.050 - Penalties and enforcement.

(a) Parking in violation of this chapter in the Town of Mills, Wyoming, as may be amended from time to time by resolution of the Town Council, shall constitute a misdemeanor.

(b) Any violation of this chapter which continues for a period of twenty-four hours or more shall constitute a new and separate distinct violation.

(c) Conviction of abuse or violation of the terms of the various parking permits shall result in revocation of the permit, and the holder of said permit shall be subject to other penalties or remedies.

(d) It shall constitute notice to every person charged with violating this chapter, if the Chief of Police or his/her designee affixes to or deposits in a motor vehicle, found to be parked in violation of this chapter, a parking ticket indicating thereon that the motor vehicle is parked in violation of this chapter, the street address or location where such violation occurred, the date upon which the same occurred, the license number of such motor vehicle, and notice of time and date the owner of such motor vehicle is to pay the fine or post the bond for the violation, and the bond and fine amount for the violation. The owner of any motor vehicle who fails to appear at the Mills court at the time fixed in any such notice, shall be formally charged, by criminal complaint with violation of this chapter. The original parking citation shall serve as the formal complaint in the matter if served pursuant to Wyoming law. It shall be presumed that the last known address to which the vehicle is registered is a valid address for service of notice under this chapter.

(e) In the event that any person receiving any ticket or notice of violation does not desire to appear before the Mills court to answer to such charge, he may post a cash bond in the amount of the fine for the violation with the Mills court. Such bonds shall be forfeited unless such person shall appear before the Mills judge at the time fixed in such notice, and upon forfeiture of such bonds, no further action shall be taken against such violator.

(f) The fact that a motor vehicle which is parked in violation of this chapter is registered in the name of a person shall be prima facie evidence that such person was in control of the automobile at the time of such parking.

(g) In addition to any other penalties or remedies enumerated in this chapter, the Chief of Police or his or her designee may tow, impound and/or immobilize any vehicle that has accumulated five or more unpaid or unadjudicated notices of violation that are thirty or more days past due. For handicapped parking violations, the threshold shall be one or more notices of violations that are thirty or more days past due. Any vehicle towed, immobilized or impounded pursuant to this chapter may be released upon the payment of the outstanding fines leading to the towing, immobilization or impoundment, or the posting of a bond with Mills court in the amount of the fines, along with a request for a hearing to adjudicate the underlying violations.

(h) The Chief of Police or his or her designee may tow any vehicle parked in violation of this chapter at any time, if said vehicle is obstructing traffic flow, street or utility work, access to public or private property, or in any way jeopardizes the health, safety or welfare of the public.

Chapter 10.52 CARELESS DRIVING AND DRIVING UNDER THE INFLUENCE

10.52.080 - Trial procedure when previous conviction exists.

In the event the complaint, information or citation alleges a conviction of Section 10.52.030, or a conviction for a violation of the law prohibiting driving while under the influence within ten years of the charge of a violation of Section 10.52.030, the trial on the charged violation shall proceed as in other cases. If the defendant is convicted of the charged violation, and does not plead guilty to the charge of the previous conviction, he shall be tried on the charge of the previous conviction. In a trial where a previous conviction is alleged, a duly authenticated copy of the record of previous conviction and judgment against the defendant of any court are prima facie evidence of the previous conviction and may be used in evidence against the defendant.

10.52.090 - Consideration of prior conviction for purpose of enhancing penalty permitted.

A conviction under a law prohibiting driving while under the influence, which occurred within ten years before the effective date of the ordinance codified in this chapter, may be alleged in a complaint, information or citation and considered by the court for the purpose of enhancing the penalty for a violation of Section 10.52.030, as provided in Section 10.52.060.

Chapter 10.56 - ACCIDENTS
Chapter 10.60 - IMPOUNDMENT AND ABANDONED VEHICLES

Article I. - General Impoundment Procedures

10.60.010 - Authorization to remove and store vehicles.

Whenever any police or code enforcement officer finds a vehicle unattended upon any street, alley or other public property where such vehicle constitutes an obstruction to traffic or for other reasons set forth in Section 10.60.020, such officer is authorized to provide for the removal of such vehicle to the nearest Town garage or other place of safety designated by the Chief of Police or his appointed authority, at the expense of the registered owner thereof.

10.60.020 - Circumstances requiring removal of vehicle.

(a) Members of the police department or code enforcement are authorized to remove a vehicle from a street or highway or restricted parking area to the Town garage or other place of safety under the circumstances hereinafter enumerated:

- i. When any vehicle is left unattended upon any bridge or viaduct or in any subway, where such vehicle constitutes an obstruction to traffic;
- ii. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
- iii. Reserved;
- iv. When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street, highway or restricted parking area;
- v. When such vehicle is found being driven on the streets or highways and is not in proper condition to be driven;
- vi. When a driver, owner or person in charge of such vehicle, while driving or in charge of such vehicle, or while such vehicle was parked or stopped, has received a notice to answer to a charge against him for violation of the provisions of this title or other traffic ordinances, and such driver, owner or person in charge has failed to appear and answer to such charge;

(b) Any vehicle may be impounded in the Town garage, if voluntarily agreed to by the owner thereof, upon the suspension of any fine or other penalty imposed against the driver or owner by the Mills court for a violation of a traffic ordinance;

(c) Any violator taken into custody pursuant to the provisions of this title or other Town ordinances prohibiting driving when under the influence of intoxicating liquor may at the discretion of the proper authority be released without posting bond if he agrees to the impounding in the Town garage of the vehicle owned and driven by him to insure his appearance in the Mills court to answer the charges against him, and pay such fine as may be assessed against him.

10.60.030 - Private wrecker service and places of impoundment—Charges set by council resolution.

The Chief of Police is authorized to provide for the removal of vehicles impounded under this chapter by private wrecker services and to provide for places of impoundment. No vehicle impounded under this chapter shall be released therefrom until such charges for towing such vehicle into storage and storage charges have been paid by the registered owner thereof. The charge for towing, storage or removal of such motor vehicle shall be fixed by the Town Council by resolution from time to time; provided, however, that when in the judgment of the Chief of Police a vehicle has been impounded through no fault of the owner, and where the levying of such charges would be unjust, such towing, storage and removal charges shall be paid out of the Town's general fund if such charges were incurred through the towing, storage or removal by a private service.

10.60.040 - Notice to owner.

Whenever an officer removes a vehicle from a street as authorized in this chapter and the officer knows or is able to ascertain from the registration or other records in the vehicle or otherwise the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal, the reasons therefor and of the place to which such vehicle has been removed.

10.60.050 - Procedure when owner unknown.

Whenever an officer removes a vehicle from a street under this chapter and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event the Chief of Police may consider that the motor vehicle may have been stolen and shall immediately send or cause to be sent a written report of such removal by mail to the state department, whose duty it is to register motor vehicles. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored, with the request that the owner of such vehicle be notified immediately.

10.60.060 - Disposal of vehicles.

Any vehicle impounded pursuant to this chapter and left unattended on public or private property without the express consent of the owner or person in lawful possession or control of such property, for a period in excess of five days, shall be deemed to be abandoned and shall be disposed of in the manner provided in this chapter.

Article II. - Abandoned Vehicles

10.60.070 - Prohibited where—Exceptions—Removal and impoundment procedure.

(a) No person shall abandon a motor vehicle on the streets, alleys or public property of the Town.

(b) Reserved.

(c) Any police or code enforcement officer who has reasonable grounds to believe that a vehicle has been abandoned may remove the vehicle, or cause it to be removed at the expense of the owner, to the nearest place of impoundment provided for by the county or the sheriff of the county. Removal of an abandoned vehicle from private property shall be upon the written request, upon a form prescribed by the department of revenue, of the owner or person in lawful possession or control of the property. The police department shall immediately send, or cause to be sent, a written report of such removal to the department of revenue, which report shall include a description of the vehicle, the date, time and place of removal, the grounds for removal and the place of impoundment of such vehicle.

(d) For purposes of this section, a vehicle shall be presumed to be abandoned if it is left unattended on a street, alley or other public ground for more than twenty-four hours after a notice of intent to impound has been placed on it pursuant to paragraph E of this section, or private property without express consent of the owner or person in lawful possession or control of the property more than five days after a notice of intent to impound has been placed on it pursuant to paragraph E of this section.

(e) A notice of intent to impound an abandoned vehicle by a police officer shall be placed in a prominent position on a vehicle when a police or code enforcement officer reasonably believes it is abandoned. The notice of intent shall remain on the vehicle at least twenty-four hours prior to removal and impoundment by a police officer if abandoned on a street, alley, or any other public ground, and five days if abandoned on private property.

10.60.080 - Abandonment presumed when—Exceptions.

(a) For the purpose of this section, a vehicle shall be presumed to be abandoned if it is in an inoperable condition and is not currently registered.

(b) This section and the provisions contained in this code concerning storage of wrecked, disabled vehicles and junk, shall not apply to:

- i. Antique or historic motor vehicles as defined in Section 31-1-101 of the Wyoming Statutes; provided same are licensed pursuant to Section 31-3-102 of the Wyoming Statutes;
- ii. Vehicles kept in an enclosed garage or storage building; provided same are not visible from any other land or public way;
- iii. Vehicles used for educational or instructional purposes at any public school;

- iv. Vehicles or junk in the custody of the Town being stored pending disposal;
- v. Vehicles and junk at junkyards which are licensed under, and in compliance with, the laws of the Town.

10.60.090 - Impound storage and towing fees set by council resolution.

All impound storage and towing fees shall be established by the Town Council by resolution.

10.60.100 - Disposal of vehicles.

All abandoned vehicles impounded under the provisions of this chapter may be disposed of in accordance with Section 31-13-104 et seq., of the Wyoming Statutes, 1977, as amended.

Chapter 10.64

BICYCLES, TOY VEHICLES, ROLLERBLADES, IN-LINE SKATES, ROLLER SKATES, SNOWBOARDS, SKIS, ROLLERSKIS, SCOOTERS, COASTERS, SKATEBOARDS AND SIMILAR DEVICES

Article I. - Bicycles

10.64.010—10.64.050 - Reserved.

10.64.060 – Bicycles; Obedience to traffic rules required.

Every person riding or propelling a bicycle upon any street or other public highway in the Town shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for all turns, ride at the right-hand side of the street or highway, pass to the left when passing overtaken vehicles and individuals that are slower moving and shall pass vehicles to the right when meeting.

10.64.070 - Obedience to traffic signs required.

Persons riding bicycles shall observe all traffic signs and stop at all stop signs.

10.64.080 - Lights and reflectors.

No bicycles, toy vehicles, rollerblades, in-line skates, roller skates, snowboards, skis, rollerskis, scooters, coasters, skateboards, or similar devices, as defined in Section 10.64.150(C) (hereinafter referred to as "vehicle") shall be permitted on any street or other public highway of the Town between thirty minutes after sunset and thirty minutes before sunrise, without a headlight visible under normal atmospheric conditions from the front thereof for not less than five hundred feet, indicating the approach or presence of the vehicle, firmly attached to such vehicle and properly lighted, or without a red reflector attached to and visible from all distances from fifty feet to three hundred feet from the rear thereof when directly in front of lawful upper

beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector. The headlight shall give a clear white light.

10.64.090 - Riding on sidewalks—Right-of-way.

Any person riding a bicycle upon a sidewalk of the Town except sidewalks in the business district as hereinafter enumerated shall grant the right-of-way to any pedestrian thereon.

10.64.100 - Safe operation required.

No bicycle shall be ridden faster than is reasonable and proper and every bicycle shall be operated with reasonable regard to the safety of the operator or any person upon the sidewalks, streets and other public highways of the Town.

10.64.120 - Riding abreast of more than one other bicycle prohibited.

No person shall ride or propel a bicycle upon any street or other public highway in the Town abreast of more than one other person riding or propelling a bicycle.

10.64.130 - More than one rider on a bicycle prohibited—Exception.

No person shall ride or propel a bicycle on a street or other public highway of the Town with another person in any position in front of or behind the operator, unless the bicycle is of a tandem type equipped with a seat for each such additional person.

10.64.135 - Reserved.

Article II. - Toy Vehicles, Rollerblades, In-line Skates, Roller Skates, Snowboards, Skis, Rollerskis, Scooters, Coasters, Skateboards and Similar Devices

10.64.155 - Riding on fixtures.

No person shall ride any toy vehicles, rollerblades, in-line skates, roller skates, snowboards, skis, rollerskis, scooters, coasters, skateboards, or similar devices or any bicycle upon, over, against, or otherwise on any bench, table, planter, railing, stair, step, utility equipment, or any other fixture, whether permanently attached or not, in any public place unless such place or fixture has been designated by the Town for such use, or unless upon private property and with the permission of the owner of the property.

10.64.165 - Obedience to traffic rules required.

Every person propelling a vehicle by human power upon any street or other public highway in the Town has all of the rights and all of the duties applicable to the driver of any vehicle upon such roadways, including, but not limited to: turning only at intersections, signaling for all turns, riding at the right-hand side of the street or highway, passing to the left when

passing overtaken vehicles and individuals that are slower moving, and passing vehicles to the right when meeting.

Chapter 10.68
MOTORCYCLES AND OFF-ROAD VEHICLES

10.68.010 - Off-highway use prohibited—Exceptions.

It is unlawful for any person to drive, ride or use a motorcycle, motor-driven cycle or motor vehicle, as such vehicles are defined by Section 31-1-101 of Wyoming State Statutes, 1977, as amended, upon any public or private property which is not an improved street or highway, or an improved private street, or parking lot, except that this section shall not apply in any of the following instances:

(a) Where such vehicles are being driven, ridden or used on property by the owner, resident or tenant of such property, or by an authorized visitor when such a visitor is accompanied by or has a written authorization in his possession from the owner, resident or tenant of such property;

(b) Where such use is permitted pursuant to a use permit or otherwise in accordance with the zoning regulations of the Town.

10.68.020 - Chapter provisions not exclusive.

The regulations contained in this chapter do not supersede or preclude the enforcement of the zoning regulations or any other regulations contained in this code which are applicable to any conduct regulated by this chapter.

Chapter 10.72
PARADES AND FUNERAL PROCESSIONS

Article I. - Parades

10.72.010 - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) "Chief of Police" means the chief of police of the town.

(b) "Parade" means any parade, march, ceremony, show, exhibition, pageant or procession of any kind, or any similar display, in or upon any street, park or other public place in the town.

(c) "Parade permit" means a permit as required by this article.

10.72.020 - Permit—Required when.

(a) No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the Chief of Police.

(b) This article shall not apply to:

- i. Funeral processions;
- ii. Students going to and from school classes or participating in educational activities; provided, that such conduct is under the immediate direction and supervision of the proper school authorities;
- iii. A governmental agency acting within the scope of its functions.

10.72.030 - Permit—Application—Filing period.

(a) A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by such officer.

(b) An application for a parade permit shall be filed with the Chief of Police not less than five days or more than ten days before the date on which it is proposed to conduct the parade.

(c) The application for a parade permit shall set forth the following information:

- i. The name, address and telephone number of the person seeking to conduct such parade;
- ii. If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
- iii. The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;
- iv. The date when the parade is to be conducted;
- v. The route to be traveled, the starting point and the termination point;
- vi. The approximate number of persons who, and animals and vehicles which, will constitute such parade, the type of animals and description of the vehicles;
- vii. The hours when such parade will start and terminate;
- viii. A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed;
- ix. The location by streets of any assembly areas for such parade;
- x. The time at which units of the parade will begin to assemble at any such assembly area or areas;
- xi. The interval of space to be maintained between units of such parade;
- xii. If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the Chief of Police a communication in writing from the person proposing to

- hold the parade, authorizing the applicant to apply for the permit on his behalf;
- xiii. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should issue.

(d) The Chief of Police, where good cause is shown therefor, shall have the authority to consider any application hereunder which is filed less than five days before the date such parade is proposed to be conducted.

(e) There shall be no fee for the issuance of a parade permit.

10.72.040 - Permit—Contents.

Each parade permit shall state the following information:

- (a) Starting time;
- (b) Minimum speed;
- (c) Maximum speed;
- (d) Maximum interval of space to be maintained between the units of the parade;
- (e) The portions of the streets to be traversed that may be occupied by the parade;
- (f) The maximum length of the parade in miles or fractions thereof;
- (g) Such other information as the Chief of Police shall find necessary to the enforcement of this article.

10.72.050 - Permit—Conditions for issuance.

The Chief of Police shall issue a permit as provided for under this article when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

- (a) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- (b) The conduct of the parade will not require the diversion of so great a number of police officers of the town to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the town;
- (c) The conduct of such parade will not require the diversion of so great a number of ambulances to prevent normal ambulance service to portions of the town other than that to be occupied by the proposed line of march and areas contiguous thereto;

(d) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;

(e) The conduct of such parade will not interfere with the movement of fire-fighting equipment in route to a fire;

(f) The conduct of the parade is not reasonably likely to cause a clear and present danger of injury to persons and property;

(g) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays in route;

(h) The parade is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.

10.72.060 - Permit—Notice to town and other officials.

Immediately upon the issuance of a parade permit, the Chief of Police shall send a copy thereof to the following:

- (a) Mayor;
- (b) Town attorney;
- (c) Fire chief;
- (d) Director of the department of public works;
- (e) Postmaster.

10.72.070 - Permit—Notice of rejection.

The Chief of Police shall act upon the application for a parade permit within two days after the filing thereof. If the Chief of Police disapproves the application, he shall mail to the applicant, within two days after the date upon which the application was filed, a notice of his action, stating the reasons for his denial of the permit.

10.72.080 - Permit—Appeal procedure.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the town council. The appeal shall be taken within one day after notice. The Town council shall act upon the appeal within two days after its receipt.

10.72.090 - Alternative permit procedure.

The Chief of Police, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within two days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this article.

10.72.100 - Permit—Compliance with regulations—Possession during parade.

(a) A permittee under this article shall comply with all permit directions and conditions and with all applicable laws and ordinances.

(b) The parade chairperson or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

10.72.110 - Permit—Revocation conditions.

The Chief of Police shall have the authority to revoke a parade permit issued under this article upon violation of the standards for issuance as set forth in this article.

10.72.120 - Parking restrictions on parade route—Signs.

The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade. The Chief of Police shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this article.

10.72.130 - Driving through parades prohibited.

No driver of a vehicle, streetcar or trackless trolley shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

10.72.140 - Obstruction and interference prohibited.

No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.

Article II. - Funeral Processions

10.72.150 - Right-of-way to be yielded when.

(a) A funeral procession led by a funeral car displaying flashing lights, has the right-of-way in the lane or portion of the roadway upon which it is traveling, subject to the following:

- i. The driver of the lead vehicle of the procession shall comply with all traffic control devices except when otherwise directed by a law enforcement officer. Vehicles in the procession displaying head lamps may follow the lead vehicle without stopping at stop signs or traffic signals. Vehicles in the procession shall yield the right-of-way to authorized emergency vehicles;
- ii. Vehicles in a funeral procession shall be driven on the right-hand side of the roadway and, if a laned roadway, in the right-hand lane nearest the right-hand edge of the roadway.

(b) Drivers of oncoming vehicles are required to yield the right-of-way to funeral processions and no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession.

(c) For the purposes of this article, a funeral car shall include the private vehicle of the funeral service or mortuary company and any other private vehicle authorized by the Mills police department.

(d) Any vehicle other than the vehicle of the funeral service or mortuary company, shall be required to register with the Mills police department prior to leading any funeral processions.

Chapter 10.76 **PEDESTRIANS**

10.76.010 - Loitering in crosswalk.

All pedestrians crossing streets or roadways in marked or unmarked crosswalks shall not loiter in the crosswalk.

10.76.020 - Crossing streets in business district or school zones.

It is unlawful for any pedestrian to cross any street within the central business district of the town, as defined by Section 10.24.010, or to cross any street within any school zone within the town, except at marked or indicated crosswalks which shall be provided by the town.

Chapter 10.80
PLAY STREETS

10.80.010 - Establishment authorized when.

The Chief of Police shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

10.80.020 - Driving restrictions.

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any driver shall exercise the greatest care in driving upon any such street or portion thereof.

Chapter 10.88
TRUCK TRAFFIC

10.88.010 - Definitions.

(a) "Truck" means any vehicle designed, used or maintained primarily for the transportation of property, and whose rated load capacity exceeds two tons. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- i. "Deviating truck" means a truck which leaves and departs from a truck route while traveling inside the town.
- ii. "Load" means the weight or quantity of anything being transported by a truck.
- iii. "Oversize load" means a load, fixed or unfixed, that exceeds the size limits set forth in this chapter.
- iv. "Overweight load" means a load, fixed or unfixed, that exceeds the weight limits set forth in this chapter.
- v. "Permit" means a written authorization to move or operate on a highway a vehicle or vehicles with load of size or weight exceeding the limits as specified by this chapter.
- vi. "Streets of destination" means any street inside the town not designated as a truck route.
- vii. Streets of the town. "Street" means and includes public streets, avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto, and all other public thoroughfares in the town, and, as designated by this chapter, allows for the operation of truck traffic.
- viii. Tire, Pneumatic. "Pneumatic tire" means a tire of rubber or other resilient material which depends on compressed air for support of a load.

(b) "Truck route" means a public way within the town, as designated in this chapter, over and along which trucks must operate.

(c) "Unladen weight" means the actual weight of a vehicle, including the cab, body, and all accessories with which the vehicle is equipped for normal use on highways, excluding the weight of any load. The unladen weight of vehicles mounted with machinery or equipment not normally designed for the vehicle and not used for the transportation of property other than the machinery or equipment is three-fourths of the gross weight of the vehicle.

10.88.020 - Application of chapter provisions.

The provisions of this chapter shall apply to the operation of trucks within the town, except to the extent that such provisions are in conflict with state or federal law.

10.88.030 - Exempt vehicles designated.

This chapter shall not prohibit:

(a) Emergency Vehicles. The operation of emergency vehicles upon any street in the town;

(b) Detoured Vehicles. The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established;

(c) School Buses. The operation of public or private school buses upon any street in the town;

(d) Government Maintenance Vehicles. The operation of government maintenance vehicles upon any street in the town.

10.88.040 - Authority to weigh and measure.

The Chief of Police, or his appointee, shall have the authority to require the driver of any truck operating on the streets of the town, and which he has reason to believe is overweight or oversize, to proceed with the truck to an appropriate weight station or stopping place for the purpose of determining whether this chapter has been complied with.

10.88.050 - Height, width and tires—Permit conditions.

(a) No truck, unladen or with load or load-holding devices thereon, in excess of eight and one-half feet in width and/or fourteen feet in height, shall be driven upon any Town street without a special use permit.

(b) The wheels of all trucks shall be equipped with pneumatic tires. In special cases, trucks hauling single items of machinery or equipment which cannot be readily dismantled or divided, and the size of such vehicles exceeds the limits herein prescribed, may be operated provided a special use permit has been obtained from the State Highway Superintendent and

chief engineer, except that trucks operating on the streets of the Town shall first secure permission of the Chief of Police.

10.88.060 - Operation on non-truck-route streets.

The operation of trucks over and along any Town street not designated a truck route, shall be permitted only for the purpose of reaching a point of destination inside the Town, provided that:

(a) One Destination Point. All trucks having a single destination point in the Town shall proceed only over an established truck route, and shall deviate only at the intersection with the street upon which such traffic is permitted nearest to the destination point. A deviating truck shall return to the truck route by the shortest possible route;

(b) Multiple Destination Points. All trucks having multiple destination points shall proceed only over established truck routes, and shall deviate only at the intersection with the street upon which such traffic is permitted, nearest to the first destination point. Upon leaving the first destination point, a deviating truck shall return to the nearest truck route, and proceed to other destination points by the shortest direction, and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route;

(c) Routes for Construction as designated by the Town Engineer. The Town Engineer may appoint a truck route as part of construction site plans or construction activities.

10.88.070 – Designation of Truck routes.

The Chief of Police after consultation with appropriate department heads shall have the authority to designate truck routes within the Town of Mills.

10.88.090 - Map maintenance authority.

The Town engineer shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted; the maps shall be kept on file in the office of the Town engineer and shall be available to the public.

10.88.100 - Violation—Penalty.

It is unlawful for any person to operate or cause to be operated any truck within the Town in violation of this chapter.