

ways 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; and

2. The right of way rule declared in this section is modified at through highways and otherwise as stated in this chapter.

4-0920. Overtaking and Passing School Bus. The provisions of NDCC 39-10-46 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. The driver of a vehicle meeting or overtaking from either direction any school bus stopped on the highway shall stop the vehicle before reaching such school bus when there is in operation on said school bus the flashing red lights specified in NDCC 39-21-18, and said driver shall not proceed until such school bus resumes motion or he is signaled by the school bus driver to proceed or the flashing red lights are no longer actuated.
2. Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "SCHOOL BUS" in letters not less than eight inches in height. When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or other than the actual transportation of children either to or from school or for a school sanctioned activity, all markings thereon, indicating "SCHOOL BUS" shall be covered concealed.
3. The operator of a school bus equipped with amber caution lights may activate those lights at a distance of not less than three hundred feet (91.44 meters) nor more than five hundred feet (152.4 meters) from the point where school children are to be received or discharged from the bus.
4. Every school bus shall be equipped with red visual signals meeting the requirements of NDCC 39-21-18, which may be actuated by the driver of said school bus whenever, but only whenever, such vehicle is stopped on the highway for the purpose of receiving or discharging school children. A school bus driver shall not actuate said visual signals:
 - a. On city streets on which the receiving or discharging of school children is prohibited by ordinance;
 - b. At intersections or other places where traffic is controlled by traffic-control signals or police officers; or
 - c. In designated school bus loading areas where the bus is entirely off the roadway.
5. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

4-0921. Unattended Motor Vehicle. The provisions of NDCC 39-10-51 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of

the highway.

4-0922. Limitations on Backing. The provisions of NDCC 39-10-52 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.
2. The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway.

4-0923. Obstruction to Driver's View or Driving Mechanism. The provisions of NDCC 39-10-54 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. 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.
2. 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.

4-0924. Opening and Closing Vehicle Doors. The provisions of NDCC 39-10-54.1 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

4-0925. Coasting Prohibited. The provisions of NDCC 39-10-56 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears or transmission of such vehicle in neutral.
2. The driver of a truck or bus when traveling upon a down grade shall not coast with the clutch disengaged.

4-0926. Following Fire Apparatus Prohibited. The provisions of NDCC 39-10-57 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

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 five hundred feet or stop such vehicle within five hundred feet of any fire apparatus stopped in answer to a fire alarm.

4-0927. Crossing Fire Hose. The provisions of NDCC 39-10-58 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

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

are hereby incorporated by reference in this ordinance.

1. A pedestrian shall obey the instructions of any official traffic-control device specially applicable to him, unless otherwise directed by a police officer.
2. Pedestrians shall be subject to traffic and pedestrian-control signals as provided for in 4-0403 and 4-0405.

4-1002. Pedestrians' Right of Way in Crosswalks. The provisions of NDCC 39-10-28 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger;
2. 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;
3. Subsection 1 of this section shall not apply under the conditions stated in subsection 2 of 4-1103; and
4. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the highway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

4-1003. Crossing at Other Than Crosswalks. The provisions of NDCC 39-10-29 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.
2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.
3. Between adjacent intersections at which traffic-control devices are in operation pedestrians shall not cross at any place except in a marked crosswalk.
4. No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

4-1004. Drivers to Exercise Due Care. The provisions of NDCC 39-10-30 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Notwithstanding the foregoing provisions of this chapter every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any

4-1701. Equipment of Vehicles Other Than Motorcycles. The provisions of NDCC Chapter 39-21 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

4-1702. Motorcycle Equipment. The provisions of NDCC Chapter 39-27 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

4-1703. When Lighted Lamps are Required - Penalty. Every vehicle upon a highway within this state at any time from sunset to sunrise, and every farm tractor upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise, and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of one thousand feet (304.8 meters) ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles. Stop lights, turn signals, and other signaling devices shall be lighted as prescribed for the use of such devices. Any person who violates the provisions of this section shall be assessed a fee of five dollars for each violation.

4-1704. Child Restraint Devices - Penalty - Evidence.

1. If a child, not over two years of age, is present in any passenger car that is operated by the child's parent or legal guardian, that passenger car must be equipped with at least one child restraint system for each such child under two years. The child restraint system must at least meet the standards adopted by the United States department of transportation for those systems (49 CFR 571.213). While the car is in motion, each such child must be properly secured in the child restraint system in accordance with the manufacturer's instructions. If a child who is at least two and at most four years of age is present in a passenger car, unless properly secured in an approved child restraint system, the child must be buckled in a seatbelt whenever the car is moving. Use of child restraint systems and seatbelts is not required in passenger cars manufactured before 1966 that have not been equipped with seatbelts.
2. Violation of this section is an infraction and is punishable by a fine not to exceed twenty dollars. The fine may be suspended on showing proof of acquiring a child restraint system complying with this section within one month of the violation.
3. Violation of this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.

CHAPTER 4-18

REGULATING THE KINDS AND CLASSES OF TRAFFIC ON CERTAIN ROADWAYS

Section

- 4-1801 Load Restrictions Upon Vehicles Using Certain Roadways
- 4-1802 Commercial Vehicles Prohibited From Using Certain Streets
- 4-1803 Size Restrictions Upon Vehicles Using Certain Highways
- 4-1804 Restrictions Upon Use of Streets by Certain Vehicles

4-1801. Load Restrictions Upon Vehicles Using Certain Roadways. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the maximum indicated weight at any time upon any street or part of a street so designated.

No person shall drink or consume alcoholic beverages, as defined in the North Dakota Century Code, in or on any motor vehicle when such vehicle is upon a public highway or in an area used principally for public parking. No person shall have in his possession on his person while in or on a private motor vehicle upon a public highway or in an area used principally for public parking, any bottle or receptacle containing such alcoholic beverages which has been opened, or the seal broken, or the contents of which have been partially removed. It shall be unlawful for the owner of any private motor vehicle or the driver, if the owner be not then present in or on the motor vehicle, to keep or allow to be kept in a motor vehicle when such vehicle is upon the public highway or in an area used principally for public parking any bottle or receptacle containing such alcoholic beverages which has been opened, or the seal broken, or the contents of which have been partially removed except when such bottle or receptacle shall be kept in the trunk of the motor vehicle when such vehicle is equipped with a trunk, or kept in some other areas of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers. The provisions of this section shall not prohibit the consumption or possession of alcohol beverages in a house car, as defined by subsection 4-2101 or 4-0101, if the consumption or possession occurs in the area of the house car used as sleeping or living quarters and that area is separated from the driving compartment by a solid partition, door, curtain, or some similar means of separation; however, consumption is not authorized while the house car is in motion. Any person violating the provisions of this section shall be assessed a fee of twenty dollars; however, the licensing authority shall not record the violation against the driving record of such person unless he was the driver of the automobile at the time that the violation occurred.

REVISED

4-0933. Permitting Unauthorized Minor to Drive. No person shall cause or knowingly permit his child or ward under the age of eighteen years to drive a motor vehicle upon any highway when such minor is not authorized under the laws of this state.

4-0934. Permitting Unauthorized Person to Drive. No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized under the laws of this state.

4-0935. Driving Upon Sidewalk. No person shall drive any vehicle upon a sidewalk area except upon a permanent or duly authorized temporary driveway.

~~4-0935~~ Added CHAPTER 4-10
PEDESTRIANS' RIGHTS AND DUTIES

Section	
4-1001	Pedestrian Obedience to Traffic-Control Devices and Traffic Regulations
4-1002	Pedestrians' Right of Way in Crosswalks
4-1003	Crossing at Other Than Crosswalks
4-1004	Drivers to Exercise Due Care
4-1005	Pedestrians to Use Right Half of Crosswalks
4-1006	Pedestrians on Roadways
4-1007	Pedestrians' Right of Way on Sidewalks
4-1008	Pedestrians Yield to Authorized Emergency Vehicles
4-1009	Blind Pedestrian Right of Way
4-1010	Pedestrians Under Influence of Alcohol or Drugs
4-1011	Bridge and Railroad Signals
4-1012	Pedestrians Soliciting Rides or Business

4-0932
changed to
Fifty

4-1001. Pedestrian Obedience to Traffic-Control Devices and Traffic Regulations. The provisions of NDCC 39-10-27 and all subsequent amendments shall be and

Alderman Stiller moved and Alderman Fehr seconded a motion, to accept the Final Budget as written, Upon roll call, all voted "Aye" motion carried.

The Council gave permission, to herman Schneider, to attend, the N.D. Water & Pollution control conference which will be held in Minot Oct. 25, 26, and 27.

Alderman Fehr moved and Alderman Stiller seconded a motion that Amendments to Chapter 14 of the revised ordinances as follows be given its First reading.

AMENDMENTS TO CHAPTER 14

REVISED ORDINANCES OF THE CITY OF HEBRON, N. D.

Chapter 4 of the Revised Ordinances of the City of Hebron, N.D. are hereby amended to read as follows:

Section 4-0936. Driving Without Liability Insurance Prohibited-Penalty.

10-02-89
A person may not drive a motor vehicle without a valid policy of liability insurance in effect in order to respond in damages for liability arising out of the ownership, maintenance or use of that motor vehicle in the amount required by chapter 39-16.1 of the North Dakota Century Code. Upon being stopped by a law enforcement officer for the purpose of enforcing or investigating the possible violation of an Ordinance or State Law or during the investigation of an accident, the person driving the motor vehicle shall provide to the officer upon request, satisfactory evidence of the policy required under this section. If unable to comply with request, that person may not be charged with a violation of this section, if the person submits such evidence to the officer or the officers agency within twenty days of the date of the request. Violation of this section is a Class "B" misdemeanor and the sentence imposed must include a fine of at least \$150.00.

Section 4-2701. Penalties. Any person who is convicted of violating or of failing to comply with any of the provisions of this ordinance may be punished by a fine of not more than \$500.00 or by imprisonment not to exceed 30 days, or both, and, upon conviction of any person of a violation of Chapter 4-1902, Persons under the influence of intoxicating liquor or controlled substances not to operate vehicle-Penalty, or 4-1906 revoked, the court may order the number plate of the motor vehicle owned and operated by the offender at the time of the offense to be impounded by the sheriff or chief law enforcement officer of the city, as appropriate, for the duration of the period of suspension of the offender's drivers license or driving privilege by the licensing authority.

Any person who is not mobility impaired, who makes use of a handicapped parking permit or who parks within a zone for mobility impaired persons must be punished by a fine of \$100.00. The violations remain in fractions for which a maximum penalty of \$500.00 may be imposed.

Alderman Leah moved and Alderman Moran seconded a motion that the last sentence of Section 4-0932 of the City Ordinances be amended to read as follows:

"Any person violating the provisions of this section shall be assessed a fee of fifty dollars; however, the licensing authority shall not record the violation against the driving record of such person unless he was the driver of the automobile at the time that the violation occurred." All voted "Aye" and the amendment was placed on its first reading.

06-06-88

4-0928. Garbage, Glass, etc., on Highways Prohibited. The provisions of NDCC 39-10-59 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle, or throw or deposit rubbish of any kind upon the highway;
2. Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed; and
3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

4-0929. Driving Through Safety Zone Prohibited. The provisions of NDCC 39-10-64 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

No vehicle shall at any time be driven through or within a safety zone.

4-0930. Moving Heavy Equipment at Railroad Grade Crossing. The provisions of NDCC 39-10-67 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of ten or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with this sector.
2. Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen feet nor more than fifty feet from the nearest rail or such railroad and while so stopped shall listen and look in both directions along such tracks for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.
3. No such crossing shall be made when warning is given by automatic signal or crossing gates or flagman or otherwise of the immediate approach of a railroad train or car. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

4-0931. Alteration of Odometers or Other Mileage Recorders, Hour Meters on Tachometers or Other Hour Recorders-Penalty. The provisions of NDCC 39-21-51 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Any person altering a motor vehicle odometer or other mileage recorder, hour meter on tachometer or other hour recorder for the purpose of deceiving another, shall be guilty of an infraction.

Revised 4-0932. Open Bottle Law-Penalty. The provisions of NDCC 39-08-18 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

roadway 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 roadway.

4-1005. Pedestrians to Use Right Half of Crosswalks. The provisions of NDCC 39-10-32 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

4-1006. Pedestrians on Roadways. The provisions of NDCC 39-10-33 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
2. Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.
3. Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.
4. Except as otherwise provided for in this chapter, any pedestrian upon a roadway shall yield the right of way to all vehicles upon the roadway.

4-1007. Pedestrians' Right of Way on Sidewalks. The provisions of NDCC 39-10-33.1 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

The driver of a vehicle shall yield the right of way to any pedestrian on a sidewalk.

4-1008. Pedestrians Yield to Authorized Emergency Vehicles. The provisions of NDCC 39-10-33.2 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. Upon the immediate approach of an authorized emergency vehicle making use of an audible signal by bell, siren, or exhaust whistle and displaying a visible flashing, revolving, or rotating blue, white, or red light, every pedestrian shall yield the right of way to the authorized emergency vehicle.
2. This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

4-1009. Blind Pedestrian Right of Way. The provisions of NDCC 39-10-33.3 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

The driver of a vehicle shall yield the right of way to any blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog.

4-1010. Pedestrians Under Influence of Alcohol or Drugs. The provisions of

NDCC 39-10-33.4 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

A pedestrian who is under the influence of alcohol or any drug to a degree which renders himself a hazard shall not walk or be upon a roadway.

4-1011. Bridge and Railroad Signals. The provisions of NDCC 39-10-33.5 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

4-1012. Pedestrians Soliciting Rides or Business. The provisions of NDCC 39-10-34 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. No person shall stand in a roadway for the purpose of soliciting a ride.
2. No person shall stand in a roadway for the purpose of soliciting employment, business, or contributions from the occupant of any vehicle.
3. No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

CHAPTER 4-11 REGULATIONS FOR MOTORCYCLES

Section

- 4-1101 Traffic Laws Apply to Person Operating Motorcycle or Motorized Bicycle
- 4-1102 Riding on Motorcycles
- 4-1103 Operating Motorcycles on Roadways Laned for Traffic
- 4-1104 Clinging to Other Vehicles
- 4-1105 Footrests
- 4-1106 Equipment for Motorcycle Riders
- 4-1107 Other Applicable Law

4-1101. Traffic Laws Apply to Person Operating Motorcycle or Motorized Bicycle. The provisions of NDCC 39-10.2-01 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Every person operating a motorcycle or motorized bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application.

For purposes of this article, the term "motorcycle" means motorcycles and motorized bicycles.

4-1102. Riding on Motorcycles. The provisions of NDCC 39-10.2-02 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. 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 motorcycle at the rear or side of the operator.

2. A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.
3. No person shall operate a motorcycle while carrying any package, bundle, or other article which prevents him from keeping both hands on the handlebars.
4. No operator shall carry any person, nor shall any person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

4-1103. Operating Motorcycles on Roadways Laned for Traffic. The provisions of NDCC 39-10.2-03 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. All motorcycles are entitled to a full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to the operation of motorcycles two abreast in a single lane as authorized in subsection 4.
2. The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
3. No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.
4. Motorcycles shall not be operated more than two abreast in a single lane.
5. Subsections 2 and 3 shall not apply to police officers in the performance of their official duties.

4-1104. Clinging to Other Vehicles. The provisions of NDCC 39-10.2-04 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

No person riding upon a motorcycle shall attach himself or the motorcycle to any other vehicle on a roadway.

4-1105. Footrests. The provisions of NDCC 39-10.2-05 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passengers.

4-1106. Equipment for Motorcycle Riders. The provisions of NDCC 39-10.2-06 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. No person under the age of eighteen years shall operate or ride upon a motorcycle unless protective headgear, which complies with standards established by the motor vehicle department, is being worn on the head of the operator and rider, except when participating in a lawful parade. If the operator of a motorcycle is required to wear protective headgear, any passenger must also wear protective headgear regardless of the age of the passenger.

2. This section shall not apply to persons riding within an enclosed cab or on a golf cart.

4-1107. Other Applicable Law. The provisions of NDCC 39-10.2-07 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

All of the provisions of Chapter 20 derived from NDCC chapter 39-06.1 pertaining to the disposition of traffic offenses shall apply to this article.

CHAPTER 4-12 REGULATIONS FOR BICYCLES

Section

- 4-1201 Effect of Regulations
- 4-1202 Traffic Ordinances Apply to Persons Riding Bicycles
- 4-1203 Obedience to Traffic-Control Devices
- 4-1204 Riding on Sidewalks
- 4-1205 Riding on Roadways and Bicycle Paths
- 4-1206 Clinging to Vehicles
- 4-1207 Carrying Articles
- 4-1208 Lamps and Other Equipment on Bicycles
- 4-1209 Riding on Bicycles - Motorized Bicycles
- 4-1210 Parking
- 4-1211 Penalties
- 4-1212 Point System Not Applicable

4-1201. Effect of Regulations.

1. It is a violation of this ordinance for any person to do any act forbidden or fail to perform any act required in this article.
2. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this ordinance.
3. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

4-1202. Traffic Ordinances Apply to Persons Riding Bicycles. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance, except as to special regulations in this article and except as to those provisions of this ordinance which by their nature can have no application.

4-1203. Obedience to Traffic-Control Devices.

1. Any person operating a bicycle shall obey the instructions of official traffic-control devices applicable to vehicles, unless otherwise directed by a police officer.
2. Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

4-1204. Riding on Sidewalks.

1. No person shall ride a bicycle upon a sidewalk within a business district.
2. The chief of police or authorized person may erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place shall disobey the same.
3. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

4-1205. Riding on Roadways and Bicycle Paths. The provisions of NDCC 39-10.1-05 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

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

4-1206. Clinging to Vehicles. The provisions of NDCC 39-10.1-04 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

No person riding upon any bicycle, coaster, rollerskates, sled, or toy vehicle shall attach the same or himself to any vehicle upon a roadway, except a sled being pulled by a snowmobile.

4-1207. Carrying Articles. The provisions of NDCC 39-10.1-06 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

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

4-1208. Lamps and Other Equipment on Bicycles. The provisions of NDCC 39-10.1-07 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the motor vehicle department. 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.

4-1209. Riding on Bicycles - Motorized Bicycles. The provisions of NDCC 39-10.1-03 and 39-10.1-07 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

2. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

4-1210. Parking. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

4-1211. Penalties. Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than fifty dollars or by impounding of such person's bicycle for a period not to exceed ninety days or by any combination thereof.

4-1212. Point System Not Applicable. The provisions of NDCC 39-10.1-08 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Any violation of the provisions of this chapter, or any moving violation as defined in 4-2010, or any nonmoving violation as defined in 4-2009 when committed on a bicycle as defined in 4-0101 (2) shall not be cause for the licensing authority to assess points against the driving record of the violator pursuant to NDCC 39-06.1-10. Any other legally authorized penalty for a criminal traffic offense or non-criminal traffic violation shall be applicable to bicyclists.

CHAPTER 4-13 ANGLE PARKING

Section

- 4-1301 Angle Parking
- 4-1302 Angle Parking - Where

4-1301. Angle Parking. The city engineer or other person authorized by the governing body may mark or sign streets upon which angle parking will be permitted (other than federal aid or state highways). Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

4-1302. Angle Parking - Where. Angle parking shall also be permitted on the following streets:

REVISED On the south side of Main Street between Elm and Elk Streets; on the east and west sides of Park Street and Grove Street between Main Street and Lincoln Avenue; on the north side of Church and Washington Avenues between Grove Street and Park Street; and on any street bordering a building used for religious services.

CHAPTER 4-14 STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES

Section

- 4-1401 Stopping, Standing, or Parking Outside of Business or Residence Districts
- 4-1402 Officer Authorized to Remove Illegally Stopped Vehicles
- 4-1403 Stopping, Standing, or Parking Prohibited in Specified Places
- 4-1404 Additional Parking Regulations
- 4-1405 Parking Prohibited - All Times
- 4-1406 Stopping - Parking - Certain Purposes Prohibited
- 4-1407 Stopping - Parking - Congested - Hazardous Places
- 4-1408 Stopping - Parking - In Alleys
- 4-1409 Parking Adjacent to Schools
- 4-1410 Parking Prohibited on Narrow Streets

2. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

4-1210. Parking. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

4-1211. Penalties. Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than fifty dollars or by impounding of such person's bicycle for a period not to exceed ninety days or by any combination thereof.

4-1212. Point System Not Applicable. The provisions of NDCC 39-10.1-08 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Any violation of the provisions of this chapter, or any moving violation as defined in 4-2010, or any nonmoving violation as defined in 4-2009 when committed on a bicycle as defined in 4-0101 (2) shall not be cause for the licensing authority to assess points against the driving record of the violator pursuant to NDCC 39-06.1-10. Any other legally authorized penalty for a criminal traffic offense or non-criminal traffic violation shall be applicable to bicyclists.

CHAPTER 4-13 ANGLE PARKING

Section

- 4-1301 Angle Parking
4-1302 Angle Parking - Where

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