

ORDINANCE 70

AN ORDINANCE REGULATING TRAFFIC UPON THE STREETS OF THE CITY OF SOMERSET, KENTUCKY, REPEALING CONFLICTING ORDINANCES AND PROVIDING A PENALTY FOR THE VIOLATIONS OF ITS TERMS.

BE IT ORDAINED BY THE BOARD OF COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AS FOLLOWS:

Section 1. Definition of words and phrases. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this ordinance.

DIVISION 1. VEHICLES, TRAFFIC, ETC., DEFINED.

Section 2. -(a) Vehicle- Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

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

(c) Authorized Emergency Vehicle- Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the (commission of motor vehicles) or the (chief of police of this city).

Section 3. - Traffic- Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for purpose of travel.

Section 4.- Right-of-way. The privilege of the immediate use of the roadway.

Section 5- (a) Stop. - When required means complete cessation of movement.

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

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

Section 6. - Authority of police and fire department officials.

(a) It shall be the duty of the officers of the police department or such officers as are assigned by the Mayor or Chief of Police to enforce all street traffic laws of this city and all of the State vehicle laws applicable to street traffic in this city.

(b) Officers of the Police Department or such officers as are assigned by the Mayor or Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance

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with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(c) Officers of the fire department when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Section 7.- Required obedience to traffic ordinance, It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this ordinance.

Section 8. - Obedience to police and fire department officials. No person shall willfully fail or refuse to comply with any lawful order or direction of a police or fire department official.

Section 9. - Persons propelling push carts or riding animals to obey traffic regulations. - Every person propelling any push cart or riding animals upon a roadway, and every person driving any animal drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

Section 10. - Use of coasters, roller skates, and similar devices restricted. - No person upon roller skates, or riding in or by any means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all the rights and shall be subject to all of the duties applicable to pedestrians.

Section 11.- Public employees to obey traffic regulations.- The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, county, or (city) and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance or by State Statute.

Section 12. - Exemptions to authorized emergency vehicles.-  
(a) The provisions of this ordinance regulating emergency vehicles, as defined in this ordinance, except as follows:

A driver when operating any such vehicle in an emergency, except when otherwise directed by a police officer may-

(1) Park or stand notwithstanding the provisions of this ordinance;

(2) Proceed past a read or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

(3) Exceed the prima speed limits so long as he does not endanger life or property.

(4) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(b) Those exemptions hereinbefore granted in reference to the movement of an authorized emergency vehicle shall apply only when the driver of said vehicle sounds a siren, bell, or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp visible from the front as a warning to others.

(c) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

Section 13. - Operation of vehicles on approach of authorized emergency vehicles - (a) Upon the immediate approach of authorized emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell;

(1) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel, to and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with regard for the safety of all persons using the highway.

Section 14.- Immediate report of accident. The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of \$25 or more, shall immediately by the quickest means of communication, either verbal or written give notice of such accident to the police department if such accident occurs within this city.

Section 15. - Authority to install traffic control devices. The (city) shall place and maintain traffic-control signs, signals, and devices when and as required to make effective the provisions of this or other ordinances, and may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under State law, or to guide or warn traffic.

Section 16. - Manual and specifications for traffic-control devices- All traffic-control signs, and devices shall conform to the manual and specifications approved by the (State Highway Commission) (or) resolution adopted by the legislative body of this city. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices, so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.

Section 17. - Obedience to official traffic-control devices. The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances of this city, unless otherwise directed by a police officer, subject to the exceptions

granted the driver of an authorized emergency vehicle in this ordinance.

Section 18. - When traffic devices required for unenforcement purposes. - No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinary observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

Section 19. - Traffic-control signal legend. - Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution", or "Stop", or exhibiting different colored lights successively on at a time, or with arrows, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green alone or "Go".

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

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(b) Yellow alone or "Caution" when shown following the green or "Go" signal.

(1) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(2) Pedestrian facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

Alternate (2) No pedestrian facing such signal shall enter the roadway until the green or "GO" is shown alone (unless authorized so to do by a pedestrian "Walk" signal.)

(c) Red alone or "Stop".

(1) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none then before entering the intersection and shall remain standing until green or "Go" is shown alone.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

Alternate (2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone.

(d) Red with green arrow.

(1) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians

lawfully within a crosswalk and to other traffic lawfully using the intersection.

(2) No pedestrian facing such signal shall enter the roadway unless she can do so safely and without interfering with any vehicular traffic.

Alternat (2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone (unless authorized so to do by a pedestrian "Walk" signal).

(e) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

Section 20. State speed laws applicable. The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as this ordinance as authorized by State law, hereby declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be prima facie unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this ordinance when signs are in place giving notice thereof.

#### ARTICLE V. - MISCELLANEOUS DRIVING RULES

Section 21. - Following fire apparatus prohibited. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Section 22. - Crossing fire hose. - No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

Section 23.- Driving through funeral or other processions. No driver of a vehicle shall drive between the vehicles comprising of a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

Section 24.- Drivers in a procession.- Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

Section 25.- Funeral processions to be identified.- A funeral composed of a procession of vehicles shall be identi-

ied as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such method as may be determined and designated by the traffic division.

Section 26.- Any person, firm or corporation violating any of the provisions of this ordinance shall on conviction be fined as follows:

Section 20 in the sum of not less than \$10.00 nor more than \$50.00.

Section 22 In any sum of not less than \$10.00 nor more than \$50.00.

All other sections not less than \$2.00 nor more than \$10.00.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall become in full force and effect on and after its passage, approval and publication as required by law.

Publicly read, passed and approved, this the 13th day of June, 1947.

APPROVED: A. A. Offutt  
Mayor

ATTEST: W. A. Moore  
Clerk