

STURGEON CITY CODE

CHAPTER 14: TRAFFIC CODE

(All sections of Chapter 14 of this code are derived from Ord., Approved and Effective, 2010, unless otherwise noted.)

Article I: Model Traffic Ordinance

Section 14.000 Model Traffic Code – Adopted

Chapter 300, RSMo., consisting of Sections 300.010 through 300.060, Revised Statutes of Missouri, as amended, commonly known as the “Model Traffic Ordinance” is hereby adopted as and for the traffic ordinance of the City, to the extent reproduced below.

Section 14.005 Definitions

For the purposes of this code the following words and/or phrases will have the meaning indicated below.

1. Alley or Alleyway: Shall mean any street with a roadway of less than twenty (20) feet in width;
2. All-Terrain Vehicle: Shall mean any motorized vehicle manufactured and used exclusively for off highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control;
3. Authorized Emergency Vehicle: Shall mean a vehicle publicly owned and operated as an ambulance, or a vehicle publicly owned and operated by the State Highway Patrol, Police, or Fire Department, Sheriff, Constable or Deputy Sheriff, Traffic Officer, or any privately owned vehicle operated as an ambulance when responding to emergency calls;
4. Business District: Shall mean the territory contiguous to and including a highway when within any six hundred (600) feet along the highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway;
5. Commercial Vehicle: Shall mean every vehicle designed, maintained, or used primarily for the transportation of property;
6. Driver: Shall mean every person who drives or is in actual physical control of a vehicle;
7. Highway: Shall mean the entire width between the boundary lines of every way publicly maintained street or road when any part thereof is open to the use of the public for purposes of vehicular travel;
8. Intersection: Shall mean the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict;
9. Laned Roadway: Shall mean a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic;
10. Motor Vehicle: Shall mean any self-propelled vehicle not operated exclusively upon tracts;
11. Motorcycle: Shall mean every motor vehicle having a seat or saddle for the use of the rider and

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designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor;

12. Motorized Bicycle: Shall mean any two (2) wheeled or three (3) wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground;

13. Motorized Play Vehicle: Shall mean any alternatively fueled device, or other motorized vehicle (i.e. coaster or scooter) that is self-propelled by a motor or engine, gas or electric.

14. Motorized Skateboard: Shall mean any self-propelled device that has a motor, gas or electric, a deck on which a person may ride and at least two (2) tandem wheels in contact with the ground.

15. Official Time Standards: Shall mean whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the City;

16. Official Traffic Control Devices: Shall mean all signs, signals, markings and devices not inconsistent with this Title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;

17. Park or Parking: Shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

18. Pedestrian: Shall mean any person afoot;

19. Person: Shall mean every natural person, firm, co-partnership, association or corporation;

20. Police Officer: Shall mean every Sturgeon Police Officer or any Officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

21. Private Road or Driveway: Shall mean every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons;

22. Railroad: Shall mean a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails;

23. Railroad Train: Shall mean a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;

24. Residence District: Shall mean the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business;

25. Right of Way: Shall mean the right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other;

26. Roadway: Shall mean that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term ROADWAY as used herein shall refer to any such roadway separately but not to all such roadways collectively;

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27. Safety Zone: Shall mean the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone;
28. Sidewalk: Shall mean that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians;
29. Stand or Standing: Shall mean the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers;
30. Stop: Shall mean when required, complete cessation from movement;
31. Stop or Stopping: Shall mean when prohibited, any halting even momentarily 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;
32. Street or Highway: Shall mean the entire width between the lines of every way publicly maintained when any part thereof is open to the uses of the public for purposes of vehicular travel. "State Highway", a highway maintained by the State of Missouri as a part of the State Highway system;
33. Through Highway: Shall mean every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right of way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this section;
34. Traffic: Shall mean pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel;
35. Traffic Control Signal: Shall mean any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed;
36. Vehicle: Shall mean any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracts, cotton trailers or motorized wheelchairs operated by handicapped persons. (RSMo. §300.010)

(Ord. 739, Sec. 1, Approved and Effective May 25, 2011, Amended)

Section 14.010 Records of Traffic Violations

1. The Police Department shall keep a record of all violations of the traffic ordinances of the City or of the State vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five (5) year period. And from the time on the record shall be maintained complete for at least the most recent five (5) years.
2. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
3. All such records and reports shall be public records. (RSMo. §300.025)

Section 14.015 To Investigate Accidents

It shall be the duty of the Police Officers of the Department, to investigate traffic accidents, to arrest and to

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assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents. (RSMo. §300.030)

Section 14.020 Traffic Accident Reports

The Police Department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the City. (RSMo. §300.040)

Section 14.025 Driver Files to be Maintained

The Police Department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned. (RSMo. §300.045)

Section 14.030 Police Department to Designate Method of Identifying Funeral Processions

The Police Department shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify, the vehicles in a funeral processions. (RSMo. §300.055)

Article II: Enforcement and Obedience to Traffic Regulations

Section 14.035 Authority of Police and Fire Department Officials

1. It shall be the duty of the Officers of the Police Department or such Officers as are assigned by the Police Officer to enforce all street traffic laws of the City and all of the State vehicle laws applicable to street traffic in the City.

2. Officers of the Police Department or such Officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance 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.

3. 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. (RSMo. §300.075)

Section 14.040 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 Officer or Fire Department Official. (RSMo. §300.080)

Section 14.045 Persons Propelling Push Carts or Riding Animals to Obey Traffic Regulations

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this Title applicable to the driver of any vehicle, except those provisions of this Title which by their very nature can have no application. (RSMo. §300.085)

Section 14.050 Use of Skateboards, Roller Skates, Roller Blades and Similar Devices Restricted on City Streets

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Except as provided below, no person upon roller skates or roller blades or riding in, upon or by means of any skateboard, coaster, scooter, toy vehicle or similar device shall go upon any street or roadway except while crossing a street or a crosswalk and when so crossing, such person shall be granted all the rights and shall be subject to all the duties applicable to pedestrians, including the duty to obey all traffic control devices, signs and signals. This Section shall not apply to persons described in this Section while authorized to be and who are part of a parade permitted on City streets. (RSMo. § 300.090) (Ord. 739, Sec. 2, Approved and Effective May 25, 2011, Amended)

Section 14.055 Public Employees to Obey Traffic Regulations

The provisions of this Chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, County, or City and it shall be unlawful for any said driver to violate any of the provision of this Chapter, except as otherwise permitted in this Title. (RSMo. §300.095)

Section 14.060 Authorized Emergency Vehicles

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated.

2. The driver of an authorized emergency vehicle may:

- a. Park or stand, irrespective of the provision of this Title;
- b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- c. Exceed the maximum speed limits so long as he does not endanger life or property;
- d. Disregard regulations governing direction of movement or turning in specified directions.

3. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one (1) lighted lamp displaying a red or blue light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle.

4. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (RSMo. §300.100)

Section 14.065 Operation of Vehicles on Approach of Authorized Emergency Vehicles

1. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this State, or of a Police vehicle properly and lawfully making use of an audible signal only:

- a. 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 an intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a Police Officer;

2. This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (RSMo. §300.105)

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Section 14.070 Immediate Notice of Accident

The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of five hundred dollars (\$500.00) or more to one (1) person shall immediately by the quickest means of communication give notice of such accident to the Police Department if such accident occurs within the City. (RSMo. §300.110)

Section 14.075 Written Report of Accident

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of five hundred dollars (\$500.00) or more to one (1) person shall, within five (5) days after such accident, forward a written report of such accident to the Police Department. The provisions of this Section shall not be applicable when the accident has been investigated at the scene by a Police Officer while such driver was present thereat. (RSMo. §300.115)

Section 14.080 When Driver Unable to Report

1. Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required Section 14.075 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice not given by the driver.

2. Whenever the driver is physically incapable of making a written report of an accident as required Section 14.075 and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within five (5) days after the accident make such report not made by the driver. (RSMo. §300.120)

Article III: Traffic Control Devices

Section 14.085 Manual and Specifications for Traffic Control Devices

All traffic control signs, signals and devices shall conform to the manual and specifications approved by the State Highways and Transportation Commission. All signs or signals require 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 this Title shall be official traffic control devices. (RSMo. §300.135)

Section 14.090 Obedience to Traffic Control Devices

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this Title, unless otherwise directed by a traffic or Police Officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Title. (RSMo. §300.140)

Section 14.095 When Official Traffic Control Devices Required for Enforcement Purposes

No provision of this Title for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular Section does not state that official traffic control devices are required, such Section shall be effective even though no devices are erected or in place. (RSMo. §300.145)

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Section 14.100 Official Traffic Control Devices – Presumption of Legality

1. Whenever official traffic control devices are placed in position approximately conforming to the requirements of this Title, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

2. Any official traffic control device placed pursuant to the provisions of this Title and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Title, unless the contrary shall be established by competent evidence. (RSMo. §300.150)

Section 14.105 Flashing Signals

1. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

a. Flashing red (stop signal), when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign;

b. Flashing yellow (caution signal), when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

2. This Section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in Section ____ of this Title. (RSMo. §300.165)

Section 14.110 Display of Unauthorized Signs, Signals or Markings

No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal. (RSMo. §300.175)

Section 14.115 Interference with Official Traffic Control Devices or Railroad Signs or Signals

No person shall without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof. (RSMo. §300.180)

Section 14.120 Authority to Establish Play Streets

The City Police Officer 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. (RSMo. §300.185)

Section 14.125 Play Streets

When 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 said driver shall exercise the greatest care in driving upon any such street or

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portion thereof. (RSMo. §300.190)

Section 14.130 City Police Officer to Designate Crosswalks and Establish Safety Zones

The City Police Officer is hereby authorized;

1. To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;

2. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (RSMo. §300.195)

Section 14.135 Speed Limits

1. It shall be unlawful for any person to drive or operate a motor vehicle in excess of twenty (20) miles per hour on any street or alley in the city except as otherwise provided in this Section and posted. It shall be unlawful for any person to drive or operate a motor vehicle on a street specified in this Section in excess of the maximum speed limit set forth for such street in this Section.

2. No person shall drive or operate a motor vehicle at a rate of speed so slow so as to impede, block or endanger the normal, usual and reasonable movement of other traffic in the street, alley or highway except:

a. When due to a condition of the motor vehicle which was not reasonably foreseeable when entering upon the street, alley or highway and while removing such motor vehicle off the street, alley or highway in the shortest reasonable time and distance; or

b. When reasonably necessary under the conditions existing at the time and place.

3. The speed limit on the following streets shall be as follows and shall be posted:

a. On Fairgrounds Road from Highway 22 to Proctor Street, the speed limit shall be forty (40) miles per hour; and from Proctor Street to Smith Street, the speed limit shall be twenty (20) miles per hour.

b. On Ogden Street from Proctor Street to Smith Street, the speed limit shall be thirty (30) miles per hour; from Smith Street to Patton Street, the speed limit shall be twenty (20) miles per hour; and from Patton Street to the south city limits south of Pinebrook Park, the speed limit shall be thirty (30) miles per hour.

c. On Stone Street from Fairgrounds Road to Ogden Street, the speed limit shall be twenty (20) miles per hour; and from Ogden Street to Audrain Street, the speed limit shall be thirty (30) miles per hour.

d. On Audrain Street from Francis Street to Stone Street, the speed limit shall be thirty (30) miles per hour.

e. On Canada Street, from Robinson Road to Ogden Street, the speed limit shall be thirty (30) miles per hour; and from Ogden Street to the east end of Canada Street east of Rochford Street, the speed limit shall be twenty (20) miles per hour.

(Ord. 808 Sec 1, Approved and Effective April 28, 2014, Amended ; Ord. 790 Sec 1, Approved and Effective June 24, 2013, Amended)

Section 14.140 Reduced Speed in Special Situations

The driver of every motor vehicle shall drive at an appropriately reduced speed when approaching and crossing an intersection or railroad crossing, when approaching and going around a curve or right angle turn, when approaching a hill crest, when traveling upon any narrow or winding roadway and when special hazards exist with respect to pedestrians or other traffic or by reason of weather of highway or street conditions.

Section 14.145 Required Position and Method of Turning at Intersection

The driver of a vehicle intending to turn at an intersection shall do so as follows:

1. Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.
2. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half ($\frac{1}{2}$) of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
3. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one (1)

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direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (RSMo. §300.215)

Section 14.150 Authority to Place Restricted Turn Signs

1. The City Police Officer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

2. When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (RSMo. §300.220)

Section 14.155 Authority to Place Restricted Turn Signs

The City Police Officer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.(RSMo. §300.225)

Section 14.160 Obedience to No-Turn Signs

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (RSMo. §300.230)

Section 14.165 Limitations on Turning Around

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 and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (RSMo. §300.235)

Article IV: One-Way Streets and Alleys

Section 14.170 Authority to Sign One-Way Streets and Alleys

Whenever any ordinance of the City designates any one (1) way street or alley the City Police Officer shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (RSMo. §300.240)

Section 14.175 One-Way Streets and Alleys

Upon those streets and parts of streets and in those alleys described and designated by ordinance, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. (RSMo. §300.245)

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Article V: Stop, Yield, One Way Street Intersections and Railroad Crossings

Section 14.178 Stop Signs, Yield Signs and One Way Street Signs (locations)

Stop Signs

(East-West St)

Benson	and	Fairgrounds	One sign on Benson going East
Burks	and	Walker	Three signs all except one going south on Walker
Burks	and	Wentz	Two signs on Burks going East & West
Burks	and	Ogden	Two signs on Burks going East & West
Burks	and	Ruby	Four way stop
Burks	and	Hicks	One sign on Hicks going South
Burks	and	Rochford	Two signs on Rochford going East & West
Canada	and	Robinson Rd	One sign on Robinson Road going South
Canada	and	Walker	One sign on Walker going South
Canada	and	Wentz	One sign on Wentz going South
Canada	and	Ogden	Two signs on Canada going East & West
Canada	and	Ruby	One sign on Ruby going South
Canada	and	Canada Court	One sign on Canada Court going North
Davis	and	Wentz	Two signs on Davis going East & West
Davis	and	Ogden	Two signs on Davis going East & West
Davis	and	Ruby	One sign on Ruby going North
Davis	and	Rochford	One sign on Rochford going North
Francis	and	Ruby	One sign one on Ruby going North
Francis	And	Ruby	One sign on Francis going East
Francis	and	Rochford	One sign on Rochford going North
Francis	and	Audrain	One sign on Francis going East
Francis	and	Fairgrounds	One sign on Francis going West
Harris	and	Turner	Two signs on Turner going North & South
Harris	and	Walker	Two signs on Walker going North & South
Harris	and	Wentz	Two signs on Harris going East & West
Harris	and	Ogden	One sign on Harris going East
Harris	and	Fairgrounds	One sign on Harris going West
Harris	and	Rollins	One sign on Harris going West
Harris	and	Hicks	One sign on Hicks going North
McDowell	and	Walker	Two signs on Walker going North & South
McDowell	and	Wentz	Two signs on McDowell going East & West
McDowell	and	Ruby	Four way stop
McDowell	and	Rochford	Two signs on McDowell going East & West
McDowell	and	Hicks	One sign on McDowell going East
Patton	and	Wentz	Three signs all except one going East on Patton

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Patton	and	Rochford	Two signs on Rochford going North & South
Patton	and	Ogden	Two signs on Patton going East & West
Patton	and	Ruby	Two signs on Ruby going North & South
Patton	and	Rollins	Two signs on Rollins going North & South
Proctor	and	Fairgrounds	One sign on Proctor going West
Proctor	and	Ogden	One sign on Ogden going North
Proctor	and	Ruby	One sign on Ruby going South
Proctor	and	Audrain	One sign on Proctor going East
Smith	and	Fairgrounds	Four-way stop on Smith and Fairgrounds
Smith	and	Turner	Two signs on Turner going North & South
Smith	and	Walker	Two signs on Walker going North & South
Smith	and	Wentz	Two signs on Wentz Going North & South
Smith	and	Ogden	Two signs on Smith going East & West
Smith	and	Ruby	Two signs on Ruby going North & South
Station Dr	and	Rochford	One sign on Station Dr going West
Stone	and	Turner	One sign on Turner going North
Stone	and	Robinson Dr	One sign on Robinson West end going South
Stone	and	Robinson Dr	One sign on Robinson East end going South
Stone	and	Ruby	One sign on Ruby going North
Stone	and	Rollins	One sign on Rollins going North
Stone	and	Fairgrounds	One sign on Stone Going West
Stone	and	Walker	One sign on Walker going North
Stone	and	Wentz	One sign on Wentz going North
Stone	and	Ogden	Two signs on Stone going East and Ogden going South
Wall	and	Walker	One sign on Walker going South
Wall	and	Wentz	Two signs on Wall going East & West
Wall	and	Rochford	One sign on Rochford going South
Wall	and	Ogden	Two signs on Wall going East & West
Wall	and	Ruby	One sign on Ruby going South

One Way Street

Wall and Fairgrounds, from Turner to Smith, westbound on Wall and northbound on Fairground only
 Patton and Walker, from Wentz to McDowell, westbound on Patton and southbound on Walker only

Yield Signs

(East-West St)

Davis	and Turner	Yield sign for traffic going East on Davis
McDowell	and Turner	Yield sign for traffic going West on McDowell

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Smith	and Hicks	Yield sign for traffic going East on Smith
Smith	and Rollins	Yield sign for traffic going West on Smith
Wall	and Hicks	Yield sign for traffic on Hicks going South
Wall	and Turner	Yield sign for traffic on Turner going South

(Ord 826 Sec 1 Approved and Effective December 22, 2014; Ord. 732, Approved and Effective December 22, 2010)

Section 14.180 Through Streets Designated

Those streets and parts of streets described by ordinances of the City are declared to be through streets for the purposes of Sections 14.180 to 14.220. (RSMo. §300.255)

Section 14.185 Signs Required at Through Streets

Whenever any ordinance of the City designates and describes a through street it shall be the duty of the City Police Officer to place and maintain a stop sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic control signals. (RSMo. §300.260)

Section 14.190 Other Intersections Where Stop or Yield Required

The City Police Officer is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one (1) or more entrances to any such intersection in which event he shall cause to be erected a stop sign at every such place where stop is required, or whether vehicles shall yield the right of way to vehicles on a different street at such intersection as prescribed in Subsection (A) of the following Section, in which event he shall cause to be erected a yield sign at every place where obedience thereto is required. (RSMo. §300.265)

Section 14.195 Stop and Yield Signs

1. The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

2. Except when directed to proceed by a Police Officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. (RSMo. §300.270)

Section 14.200 Vehicle Entering Stop Intersection

Except when directed to proceed by a Police Officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by Subsection (B) of the preceding Section, and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection. (RSMo. §300.275)

Section 14.205 Vehicle Entering Yield Intersection

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The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right of way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way. (RSMo. §300.280)

Section 14.210 Emerging From Alley, Driveway or Building

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway. (RSMo. §300.285)

Section 14.215 Stop When Traffic Obstructed

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (RSMo. §300.290)

Section 14.220 Obedience to Signal Indicating Approach of Train

1. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this Section, the driver of such vehicle shall stop within fifty (50) feet, but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

- a. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- b. A crossing gate is lowered or when a human flag man gives or continues to give a signal of the approach or passage of a railroad train;
- c. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

2. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed and is being opened or closed. (RSMo. §300.295)

Article VI: Miscellaneous Driving Rules

Section 14.225 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 five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm (RSMo. §300.000)

Section 14.230 Crossing Fire Hose

No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street,

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private driveway or streetcar track, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command. (RSMo. §300.305)

Section 14.235 Driving Through Funeral or Other Procession

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Title. This provision shall not apply at intersections where traffic is controlled by traffic control signals or Police Officers. (RSMo. §300.310)

Section 14.240 Driving in Procession

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe. (RSMo. §300.315)

Section 14.245: Funeral Procession to be Identified

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Traffic Division. (RSMo. §300.320)

Section 14.250 When Permits Required for Parades and Processions

No funeral, procession or parade containing two hundred (200) or more persons or fifty (50) or more vehicles except the forces of the United States Army or Navy, the military forces of this State and the forces of the Police and Fire Departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Police Officer and such other regulations as are set forth herein which may apply. (RSMo. §300.325)

Section 14.255 Vehicle or Motorized Bicycle Shall Not be Driven on a Sidewalk

1. The driver of a vehicle shall not drive within any sidewalk area except on a permanent or temporary driveway.
2. No person shall ride a motorized bicycle upon a sidewalk. (RSMo. §§300.330, 300.347)

Section 14.260 Limitations of Backing

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (RSMo. §300.335)

Section 14.265 Opening and Closing Vehicle Doors

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, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (RSMo. §300.340)

Section 14.270 Riding on Motorcycles, Additional Passenger – Requirements

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 (1) person, in which event a passenger may ride upon the permanent

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and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

2. The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one (1) person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one (1) person. Any motorized bicycle designed to carry more than one (1) person must be equipped with a passenger seat and footrests for the use of a passenger. (RSMo. §300.345)

Section 14.275 All-Terrain Vehicles, Prohibited – Exceptions, Operation or Under an Exception – Prohibited Uses – Penalty

1. No person shall operate an all-terrain vehicle, as defined in Section 14.005, upon the streets and highways of this City except as follows:

- a. All-terrain vehicles owned and operated by a Governmental entity for official use;
- b. All-terrain vehicles operated for agricultural purposes or industrial on-premise purposes between the official sunrise and sunset on the day of operation;
- c. All-terrain vehicles whose operators carry a special permit issued by this City pursuant to Section 304.013, RSMo.

2. No person shall operate an off-road vehicle, as defined in section 304.001, RSMo., within any stream or river in this City, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this State at such road crossing as are customary or part of the highway system. All Law Enforcement Officials or Peace Officers of this State its political subdivision shall enforce the provision of this Subsection within the geographic area of their jurisdiction.

3. A person operating an all-terrain vehicle on a street or highway pursuant to an exception covered in this Section shall have a valid driver's license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than thirty (30) miles per hour. When operated on a street or highway, and all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches and shall be dayglow in color.

4. No person shall operate an all-terrain vehicle:

- a. In any careless way so as to endanger the person or property of another;
- b. While under the influence of alcohol or any controlled substance; or
- c. Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicles, unless the individual is at least eighteen years of age.

5. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes.

6. A violation of this Section shall be an offense. (RSMo. §300.348)

Section 14.280 Riding Bicycles, Sleds, Roller Skates, by Attaching to Another Vehicle Prohibited

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No person riding upon any bicycle, motorized bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway. (RSMo. §300.350)

Section 14.285 Railroad Trains Not to Block Streets

It shall be unlawful for the directing Officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes; provided that this Section shall not apply to a moving train or to one stopped because of an emergency or for repairs necessary before it can proceed safely. (RSMo. §300.360)

Section 14.290 Driving Through Safety Zone Prohibited

No vehicle shall at any time be driven through or within a safety zone. (RSMo. §300.365)

Section 14.295 Driver's License Required

No person shall drive any motor vehicle upon any highway, alley, street, avenue, thoroughfare or other public way in the City, unless such person has a license which is valid in this State, or in the State of his residence, authorizing him to drive a motor vehicle. *State Law Reference – Drivers' license, RSMo ch. 302*

(Note: This section is identical to Section 5.830, it is printed in both places to make this ordinance code more user friendly.)

Section 14.300 Vehicle License Plate Required

No person shall drive any motor vehicle upon any highway, alley, street, avenue, thoroughfare or other public way in the City unless such person has a State auto license plate or plates as may be required, which is or are valid in this State or the State in which such vehicle is customarily licensed or which may be considered the residence of such vehicle, and which is authorized for display upon such vehicle. *State Law Reference – Registration and licensing of motor vehicles, RSMo ch. 301*

(Note: This section is identical to Section 5.835, it is printed in both places to make this ordinance code more user friendly.)

Section 14.305 Vehicle Registration Required

1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the streets of this City, except as otherwise expressly provided by Section 301.020, RSMo., shall have file, by mail or otherwise, in the office of the Director of Revenue, an application for registration on a blank to be furnished by the Director of Revenue for that purpose containing:

- a. A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in Section 301.010, RSMo.;
- b. The name and address of the owner of such motor vehicle or trailer;
- c. The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

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2. Any person who operates a motor vehicle which was not registered will be guilty of an offense.

(Note: This section is identical to Section 5.840, it is printed in both places to make this ordinance code more user friendly.)

Section 14.310 Driving While Suspended or Revoked

Any person, either resident or non-resident of the State of Missouri, whose driver's license or right or privilege to operate a motor vehicle in this State has been suspended or revoked as provided in Section 302.010 through 302.540 RSMo., shall not operate a motor vehicle within the City under a license permit or registration certificate issued by an other jurisdiction or otherwise during such suspension or after such revocation until a new license is obtained when and as permitted under Sections 302.010 through 302.540, RSMo. Violation of any provision of this Section is an offense.

(Note: This section is identical to Section 5.845, it is printed in both places to make this ordinance code more user friendly.)

Section 14.315 Prohibited Uses of License

It shall be unlawful for any person to display or to permit to be displayed, or to have in his possession, any license knowing the same to be fictitious or to have been canceled, suspended, revoked, disqualified or altered; to lend to or knowingly permit the use of by another any license issued to the person so lending or permitting the use thereof; to display or to represent as one's own any license not issued to the person so displaying the same, or fail or refuse to surrender to the Clerk of any Division of the Circuit Court of the Director, any license which has been suspended, canceled, disqualified or revoked, as provided by law; to use a false or fictitious name or give a false or fictitious address on any application for a license, or any renewal or duplicate thereof, or knowingly to make a false statement, or knowingly to conceal a material fact, or otherwise commit a fraud in any such application; to authorize or consent to any motor vehicle owned by him or under his control to be driven by any person, when he has knowledge that such person has no legal right to do so, or for any person to drive any motor vehicle in violation of any of the provisions of Sections 302.010 to 302.780, RSMo.; to employ a person to operate a motor vehicle in the transportation of persons or property with knowledge that such person has not complied with the provisions of Sections 302.010 to 302.780 RSMo., or whose license has been revoked, suspended, canceled or disqualified; or who fails to produce his or her license upon demand of any person or persons authorized to make such demand. (RSMo. §302.220)

Section 14.320 No Passing Zones

1. The Police Officer is hereby authorized to locate and mark with yellow lines in or adjacent to the center of the road those sections of roads in which passing a vehicle traveling in the same direction is prohibited by City ordinance, or in which such passing is found by the Police Officer to be unsafe, considering the contour of the ground, the direction and width of the road, the presence of connecting or crossroads, and the adjacent land uses.

2. It shall be unlawful for any person to operate a vehicle across such yellow lines when located in the traffic lane in which such vehicle is traveling.

Section 14.325 Passing Regulations

1. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations and exceptions hereinafter stated:

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- a. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle;
 - b. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
2. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:
- a. When the vehicle overtaken is making or about to make a left turn.
 - b. Upon a street with unobstructed pavement of sufficient width for two (2) or more lines of vehicles in each direction.
 - c. Upon a one-way street.
 - d. The driver of a motor vehicle may overtake and pass another vehicle upon the right only under the forgoing conditions when such movement may be made in safety. In no event shall such movement be made by driving off the paved or main traveled portion of the roadway.
 - e. The provisions of this Subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.
3. Except when a roadway has been divided into three (3) traffic lanes, no vehicle shall be driven to the left side of the center line of a highway or public road in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.
4. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:
- a. When approaching the crest of a grade or upon a curve of the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.
 - b. When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct, tunnel or when approaching within one hundred (100) feet of or at any intersection or railroad grading crossing.

State Law Reference – Similar provisions, RSMo §304.016.

Section 14.330 School Bus – Stops – Passing While Stopped

1. The driver of a vehicle upon a highway upon meeting or overtaking from either direction, any school bus which has stopped on the highway for the purpose of receiving or discharging any school children, and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed.
2. Every bus used for the transportation of school children shall bear upon the front and rear thereon a

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plainly visible sign containing the words “*School Bus*” in letters not less than eight (8) inches in height. Each bus shall have lettered on the rear in plain and distinct type the following: “*State Law: Stop While Bus is Loading and Unloading.*” Each school bus subject to the provisions of Section 304.050 to 304.070, RSMo., shall be equipped with a mechanical and electrical signaling device approved by the State Board of Education, which will display a signal plainly visible from the front and rear and indicating intention to stop.

3. The driver of a school bus in the process of loading or unloading students upon a street or highway shall activate the mechanical and electrical signaling devices, in the manner prescribed by the State Board of Education, to communicate to drivers of other vehicles that students are loading or unloading. No driver of a school bus shall take on or discharge passengers at any location upon a highway consisting of four (4) or more lanes of traffic, whether or not divided by a median or barrier, in such manner as to require the passengers to cross more than two (2) lanes of traffic; nor shall he take on or discharge passengers while the vehicle is upon the road or highway proper unless the vehicle so stopped is plainly visible for a least three hundred (300) feet in each direction to drivers of other vehicles upon the highway and then only for such time as is actually necessary to take on and discharge passengers.

4. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or overtaking a school bus which is on a different roadway, which is proceeding in the opposite direction on a highway containing four (4) or more lanes of traffic, or which is stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access highway at a point where pedestrians are not permitted to cross the roadway.

5. The driver of any school bus driving upon the highways of this City after loading or unloading school children, should remain stopped if the bus is followed by three (3) or more vehicles, until such vehicles have been permitted to pass the school bus, if the conditions prevailing make it safe to do so.

6. If any vehicle is witnessed by a Peace Officer or the driver of a school bus to have violated the provisions of this Section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation. Notwithstanding the provisions in Section 301.130, RSMo., every school bus shall be required to have two (2) license plates. In the event that charges are filed against multiple owners of a motor vehicle, only one (1) of the owners may be convicted and court costs may be assessed against only one (1) of the owners. If the vehicle which is involved in the violation is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time of the violation, the rental or leasing company may rebut the presumption by providing the Peace Officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time of the violation. No prosecuting authority may bring any legal proceedings against a rental or leasing company under this Section unless prior written notice of the violation has been given to that rental or leasing company by registered mail at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen (15) days of receipt of such notice. (RSMo. §304.050)

Section 14.335 Placing Injurious Substances on Streets – Prohibited

It shall be unlawful for any person to throw or place or cause to be thrown or placed on or upon any street, any tacks, nails, wire, scrap metal, glass, crockery, sharp stones or other substances injurious to the feet or persons or animals, or the tires or wheels of vehicles, including motor vehicles. Any person who has purposely, accidentally, or by reason of an accident, dropped from his person or any vehicle any substance upon a street, shall immediately make all reasonable efforts to clear the street of the substances.

Cross Reference – Streets, sidewalks and other public places, CH
STATE Law Reference – Similar provisions, RSMo. §304.160.

Section 14.340 Size, Weight Limitations of Vehicles

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1. It shall be unlawful for any person to operate any motor vehicle or combination of vehicles on the streets of the City, the width, height and length of which exceeds the specifications set forth in RSMo. §304.170.

2. It shall be unlawful for any person to operate any motor vehicle or combination of vehicles on the streets of the City, the weight of which exceeds the specifications set forth in RSMo. §304.180.

Section 14.345 Use of Metal Tires, Non-Skid Devices

1. No vehicle shall be operated over any of the streets or avenues of the City, except over highways, streets and avenues of gravel or clay-bound gravel, if such vehicle has on the periphery of any of its wheels any lug, flange, cleat, ridge, bolt or any projection of metal or wood which projects radially beyond the street or traffic surface of the tire, unless the street or avenue is protected by putting down solid planks or other suitable material or by attachment to the wheels so as to prevent such vehicles from damaging the street or avenue.

2. This Section shall not apply to tractors or traction engines equipped with what is known as caterpillar treads, when such caterpillar does not contain any projection of any kind likely to injure the surface of the road.

3. Tractors, traction engines and similar vehicles may be operated which have upon their road wheels V-shaped, diagonal or other cleats arranged in such a manner as to continuously in contact with the road surface, if the gross weight on the wheels per inch width of such cleats or road surface, when measured in the direction of the axle of the vehicle, does not exceed eight hundred (800) pounds.

4. No tractor, tractor engine or other metal-tired vehicle weighing more than four (4) tons, including the weight of the vehicle and its load, shall drive onto, upon or over the edge of any improved street or avenue without protecting such edge by putting down solid planks or other suitable material to prevent such vehicle from breaking off the edges of the pavement.

5. Any person violating this Section, whether under a permit or not, or who shall willfully or negligently damage a street or avenue, shall be liable for the amount of such damage caused to any street, avenue, bridge, culvert or sewer, and any vehicle causing such damage shall be subject to a lien for the full amount of such damage, which lien shall not be superior to any duly recorded or filed chattel mortgage or other lien previously attached to such vehicle. The amount of such damage may be recovered in any action in court of competent jurisdiction in the name of the City or any other interested party.

State Law Reference – Similar provisions, RSMo. §304.250.

Section 14.350 Excessive Vehicle Noise

1. No person shall operate a motor vehicle upon the streets or alleys within the corporate limits of the City unless the cutout of said motor is closed.

2. No person shall operate a motor vehicle within the corporate limits of the City in such manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device or other parts, or by any improperly loaded cargo.

Article VII: Equipment on Vehicles

Section 14.355 Vehicle Equipment

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No person shall operate a motor vehicle in the City unless such vehicle complies with the vehicle equipment regulations of Chapter 307, RSMo.

Section 14.357 Chapter 307 of Revised Statutes of Missouri Concerning Motor Vehicle Equipment Incorporated By Reference in Chapter 14 of Sturgeon City Code

Pursuant to the authority contained in the provisions of Section 71.943, RSMo, there is hereby adopted as part of the Sturgeon City Code, Chapter 307, RSMo, entitled Vehicle Equipment Regulations now in effect and as hereafter amended by the Missouri General Assembly, and Chapter 307, RSMo, is hereby incorporated in and made a part of Chapter 14 of the Sturgeon City Code as fully as though all the sections of said Chapter 307 were set out at length herein and said Chapter 307 shall have full force and effect within the City of Sturgeon, Missouri for all purposes.

Section 14.360 Headlights

1. No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway during the nighttime or any other time the weather conditions require usage of the motor vehicle's windshield wipers or during periods of fog, unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as required in this section, provided however that any person who violates this section as it relates to the usage of lighted lamps required due to weather conditions or fog shall only be fined Ten Dollars and NO/100 Dollars (\$10.00) and no court costs shall be assessed. No person shall use on any vehicle any approved electric lamp or similar device unless the light source of such lamp or device complies with the conditions of approval as to focus and rated candlepower.

2. Except as otherwise provided in this section, every motor vehicles other than a motorcycle shall be equipped with at least two (2) headlamps mounted at the same level with at least one (1) on each side of the front of the vehicle. Every motorcycle shall be equipped with at least one (1), and not more than two (2), approved headlamps. Every motorcycle equipped with a sidecar or other attachment shall be equipped with a lamp on the outside limit of such attachment capable of displaying a white light to the front.

3. Approved single-beam headlamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five feet (25') ahead project higher than a level of five inches (5") below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches (42") above the level on which the vehicle stands at a distance seventy-five feet (75') ahead. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet (200').

4. Except as hereinafter provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp, or combination thereof, on motor vehicles other than motorcycles shall be so arranged that the driver may select at will between distributions of light project to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

a. There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty feet (350') ahead for all conditions of loading.

b. There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet (100') ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

5. Every person driving a motor vehicle equipped with multiple beam road lighting equipment, during the times when lighted lamps are required, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

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- a. Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet (500'), or is within three hundred feet (300') to the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and
 - b. in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five feet (25') ahead, and
 - c. in no case higher than a level of forty-two inches (42") above the level upon which the vehicle stands at a distance of seventy-five feet (75') ahead.
6. Any motor vehicle may be equipped with not to exceed three auxiliary lamps mounted on the front at a height not less than twelve inches (12") nor more than forty-two inches (42") above the level surface upon which the vehicle stands.
7. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with a backup lamp either separately or in combination with another lamp; except that no such backup lamp shall be continuously lighted when the motor vehicle is in forward motion.
8. Any motor vehicle may be equipped with not to exceed one spotlamp, but every lighted stoplamp shall be so aimed and used so as not to be dazzling or glaring to any person.
9. Headlamps, when lighted, shall exhibit lights substantially white in color; auxiliary lamps, cowlamps and spotlamps, when lighted, shall exhibit lights substantially white, yellow or amber in color. No person shall drive or move any vehicle or equipment, except a school bus when used for school purposes or an emergency vehicle, upon any street or highway with any lamp or device thereon displaying a red light visible from directly in front thereof.
10. Any lighted lamp or illuminating device upon a motor vehicle other than headlamps, spotlamps, front direction signals or auxiliary lamps which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet (75') from the vehicle. Alternately flashing warning signals may be used on school buses when used for school purposes and on motor vehicles when used to transport United States mail from post offices to boxes of addressees thereof and on emergency vehicles as defined in Section 304.022 RSMo, but are prohibited on other motor vehicles and motorcycles, except as a means for indicating a right or left turn.
11. At the times when lighted lamps are required, at least two (2) lighted lamps shall be displayed, one (1) on each side of the front of every motor vehicle, except a motorcycle, except when such vehicle is parked subject to the provisions governing lights on parked vehicles. Whenever a motor vehicle equipped with headlamps as required in this section, is also equipped with an auxiliary lamps or a spotlamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred (300) candlepower, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a street or highway.
12. Parking
 - a. Whenever a vehicle is lawfully parked upon a street or highway during nighttime and in the event there is sufficient light to reveal any person or object within a distance of five hundred feet (500') upon such street or highway no lights need be displayed upon such parked vehicle.

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b. Whenever a vehicle is parked or stopped upon a highway or shoulder adjacent thereto, whether attended or unattended, during nighttime and there is not sufficient light to reveal any person or object within a distance of five hundred feet (500') upon the highway, a vehicle so parked or stopped shall be equipped with one (1) or more lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred feet (500') to the front of the vehicle, and the same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred feet (500') to the rear of the vehicle, and the location of the lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. Any lighted headlamp upon a parked vehicle shall be depressed or dimmed.

13. All vehicles, including agricultural machinery or implements, road machinery, road rollers, traction engines and farm tractors not in this chapter specifically required to be equipped with lamps, shall be equipped during the times when lighted lamps are required with at least one (1) lighted lamp or lantern exhibiting a white light visible from a distance of five hundred feet (500') to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred feet (500') to the rear, and such lamps and lanterns shall exhibit lights to the sides of such vehicle.

14. No motor vehicle or trailer shall be operated on a public street or highway of this State while equipped with any device which emits an electronic message directed to the front, side or rear of the exterior of the vehicle or trailer. For the purposes of this section, the term "message" shall include words, phrases, sentences, numbers and other symbols or combinations thereof. This section shall not prohibit the lawful use of a lamp which illuminates the rear registration marker, or the use of a route indicator on a bus or other public transportation vehicle, or messages that display proper names of firms or corporations.

15. Any person who shall place or drive or cause to be placed or driven, upon or along any street or highway of this State any animal driven vehicle whatsoever, whether in motion or at rest, shall at nighttime have attached to every such vehicle at the rear thereof a red taillight or a red reflecting device of not less than three inches (3") in diameter of effective area or its equivalent in area. When such device shall consist of reflecting buttons there shall be no less than seven (7) of such buttons covering an area equal to a circle with a three-inch (3") diameter. The total subtended effective angle of reflection of every such device shall be no less than sixty degrees (60°) and the spread and efficiency of the reflected light shall be sufficient for the reflected light to be visible to the driver of any motor vehicle approaching such animal-drawn vehicle from the rear of a distance of not less than five hundred feet (500'). In addition, any person who operates any such animal-drawn vehicle during nighttime shall have at least one light flashing at all times the vehicle is on any street or highway of this State. Such light or lights shall be amber in the front and red in the back and shall be placed on the left side of the vehicle at a height of no more than six feet (6') from the ground and shall be visible from the front and the back of the vehicle at a distance of at least five hundred feet (500').

16. No person shall operate on any street or highway any slow moving vehicle or equipment, any animal-drawn vehicle, or any other machinery, designed for use or normally operated at speeds less than twenty-five miles per hour (25 mph), including all road construction or maintenance machinery, except when engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs, which normally travels or is normally used at a speed of less than twenty-five miles per hour (25 mph) unless there is displayed on the rear thereof an emblem as described in, and displayed as provided in the next section. The requirement of such emblem shall be in addition to any lighting devices required by subsection N.

17. The emblem required by the previous section shall be of substantial construction, and shall be a base down equilateral triangle of fluorescent yellow-orange film or equivalent quality paint with a base of not less than fourteen inches (14") and an altitude of not less than twelve inches (12"). Such triangle shall be bordered with reflective red strips having a minimum width of one and three-fourths inches (1-3/4"), with the vertices of the overall triangle truncated such that the remaining altitude shall be a minimum of fourteen inches (14"). Such emblem shall be mounted on the rear of such vehicle near the horizontal geometric center of the rearmost vehicle at a height of not less than four feet (4') above the roadway, and shall be maintained in a clean, reflective condition. The provisions of this section shall not apply to any vehicle or equipment being operated on a gravel or dirt surfaced

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public highway.

18. No emblem shall be required on machinery or equipment pulled or attached to a farm tractor providing the machinery or equipment does not extend more than twelve feet (12') to the rear of the tractor and permits a clear view of the emblem on the tractor by vehicles approaching from the rear.

Section 14.365 Tail Lights

1. Every motor vehicle shall be equipped with at least two rear lamps, not less than fifteen inches (15") or more than seventy-two inches (14") above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet (500') to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet (50') to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this State, when operated on a street or highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet (300') to fifty feet (50') from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps.

3. Every new passenger car, new commercial motor vehicle, and omnibus with a capacity of more than six passengers registered in this State after January 1, 1966, when operated on a street or highway, shall also carry at the rear at least two (2) approved red reflectors, at least one (1) at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred (500') to fifty feet (50') from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this section and shall be mounted upon the vehicle at a height not to exceed sixty inches (60") nor less than fifteen inches (15") above the surface upon which the vehicle stands.

Section 14.370 Signaling Devices

Every motor vehicle shall be equipped with a horn, directed forward in good working order, capable of emitting a sound adequate in quantity and volume to give warning to the approaching of such vehicle to other users of highway and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.

Section 14.375 Muffler

The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles.

Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or operated while such vehicle is in motion.

Section 14.380 Brakes

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All motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one set of adequate brakes kept in good working order.

Section 14.385 Mirrors

All motor vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.

Article VIII: Prohibitions

Section 14.390 Safety Belts

1. As used in this Section, the term passenger car means every motor vehicle designed for carrying ten (10) persons or less and used for the transportation of persons; except that, the term "*passenger car*" shall not include motorcycles, motorized bicycles, motor tricycles and trucks with a licensed gross weight of twelve thousand (12,000) pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that Federal Agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this City, and persons less than eighteen (18) years of age operating or riding in a truck, as defined in Section 301.010, RSMo., on a street or highway of this City shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation and Safety Act requirements, except that a child less than four (4) years of age shall be protected as required in the following Section thereof. No person shall be stopped, inspected, or detained solely to determine compliance with this Subsection. The provisions of this Section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this Section be applicable to persons while operating or riding in a motor vehicle being used in agricultural work-related activities. Non-compliance with this Subsection shall not constitute probable cause for violation of any other provision of law.

(Note: This section is identical to Section 5.850, it is printed in both places to make this ordinance code more user friendly.)

Section 14.395 Child Restraint Devices

1. Each driver of a motor vehicle transporting a child four (4) years of age or more, but less than sixteen (16) years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt.

2. Every person transporting a child under the age of four (4) years on the streets or highways of this City shall be responsible for transporting such child in a child passenger restraint system approved by the Missouri Department of Public Safety.

(Note: This section is identical to Section 5.855, it is printed in both places to make this ordinance code more user friendly.)

Section 14.400 Passengers in Truck Beds

No person shall operate any truck, as defined in Section 301.010, RSMo., with a licensed gross weight of

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less than twelve thousand (12,000) pounds when such truck is operated within the corporate limits of this City when any person under eighteen (18) years of age is riding in the unenclosed bed of such truck. No person under eighteen (18) years of age shall ride in the unenclosed bed of such truck when the truck is in operation.

(Note: This section is identical to Section 5.860, it is printed in both places to make this ordinance code more user friendly.)

Section 14.405 Driving Without Proof of Insurance – Penalty

1. Driving Without Proof of Insurance – Penalty. No driver upon the roadways may operate a motor vehicle without proof of insurance on his person as required by Section 303.024, RSMo (as amended).

2. Effective of After-the-Fact Proof of Insurance. If a driver upon the roadways subject to the jurisdiction of the City of Sturgeon violates any of this Section and makes an appearance at the Municipal Court, and there upon offers to show that they do at the time of appearance, or did at the time of the traffic stop, have adequate insurance coverage, such offer of proof shall be of no consequence to the court. The court shall only pass judgment on whether or not, at the time the summons was issued, an offender under this Section had proof of automobile insurance coverage as required by Section 303.024, RSMo, (as amended).

(Ord. 739, Sec. 3, Approved and Effective May 25, 2011, Amended)

Section 14.410 Driving While Intoxicated or Drugged

A person commits the offense of driving while intoxicated if he operates a motor vehicle while in an intoxicated or drugged condition.

(Note: This section is identical to Section 5.870, it is printed in both places to make this ordinance code more user friendly.)

Section 14.415 Excessive Blood Alcohol Content

A person commits the offense of driving with excessive blood alcohol content if he operates a motor vehicle with eight-hundredths of one percent (.08%) or more by weight of alcohol in his blood.

(Note: This section is identical to Section 5.875, it is printed in both places to make this ordinance code more user friendly.)

Section 14.420 Definition of Drive or Operate

As used in the preceding two Sections, the term drive or operate means physically driving or operating or being in actual physical control of a motor vehicle.

(Note: This section is identical to Section 5.880, it is printed in both places to make this ordinance code more user friendly.)

Section 14.425 Percent by Weight or Alcohol – Defined

As used herein, the term percent by weight of alcohol shall have the same meaning as provided by State Law Section 577.012, RSMo.

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(Note: This section is identical to Section 5.885, it is printed in both places to make this ordinance code more user friendly.)

Section 14.430 Implied Consent to Test For Alcohol/Drug Content

Any person who operates a motor vehicle upon the public highways of this City shall be deemed to have given consent to, subject to the provisions of Sections 577.020 to 577.041, RSMo., a chemical test or tests of his breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of his blood if arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense. (RSMo. §577.020.1)

(Note: This section is identical to Section 5.890, it is printed in both places to make this ordinance code more user friendly.)

Section 14.435 Procedure on Arrest for Driving While Intoxicated

Any arrest for driving while intoxicated shall be handled as any other arrest for an offense of the same severity, except as follows:

1. As soon as practicable following such arrest, the Police Officer shall obtain the driving record of the person arrested.

2. No person who has a prior conviction for driving while intoxicated or driving with excessive blood alcohol content within ten (10) years of the date of the present alleged offense shall be prosecuted through the Municipal Court until after the State Prosecuting Attorney shall have had the opportunity to review the case and to consider filing appropriate State charges.

3. No person, regardless of his prior conviction record, shall be prosecuted through the Municipal Court where it appears possible that a charge of involuntary manslaughter might be sustained, until after the State Prosecuting Attorney shall have had the opportunity to review the case and to consider filing appropriate charges.

4. In all other cases, the City Prosecuting Attorney shall have the discretion to file the appropriate charge with the Municipal Court or he may refer the case to the State prosecuting official.

5. The procedures described herein shall be directory and not mandatory. The failure to follow the procedures provided for in this Section shall not invalidate any prosecution or be cause to overturn any conviction for violations of Section three (3) or four (4), above, but may be reason for discipline of the City Official(s) violating this Section.

(Note: This section is identical to Section 5.895, it is printed in both places to make this ordinance code more user friendly.)

Section 14.440 Procedure in Municipal Court for Violations of Sections 14.390 or 14.395

No person charged with driving while intoxicated (Section 14.390 above) or driving with blood alcohol content (Section 14.395 above) shall have his case heard in Municipal Court except in accordance with the following procedure:

1. The defendant must either be represented by an attorney, or must voluntarily waive his right to such

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representation by execution of a written waiver. If the defendant chooses to do neither (or if because he is an indigent is unable to employ an attorney), the prosecution of the case shall be suspended and the case referred to the State prosecuting official. Only if the State prosecuting official declines to proceed with a State criminal prosecution shall the Municipal prosecution be resumed. *Cross Reference – Municipal court, ch 130.*

(Note: This section is identical to Section 5.900, it is printed in both places to make this ordinance code more user friendly.)

Section 14.445 Civil Judgment for Alcohol-Related Convictions

Any person convicted of an intoxication-related offense shall have a judgment entered against that person:

1. In favor of the Spinal Cord Injury Fund in the amount of twenty-five dollars (\$25.00) to be collected as provided in Section 304.027, RSMo
2. In favor of the City of Sturgeon for apprehension costs in the amount of one hundred dollars (\$100.00). (Ord. 739, Sec. 4, Approved and Effective May 25, 2011, Amended)

Article IX: Pedestrians' Rights and Duties

Section 14.450 Pedestrians Subject to Traffic Control Devices

Pedestrians shall be subject to traffic control signals as heretofore declared in Sections 14.435 and 14.440 of this Article, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this Chapter. (RSMo. §300.370)

Section 14.455 Pedestrians' Right of Way in Crosswalks

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 that it is impossible for the driver to yield.
3. Subsection (A) above shall not apply under the conditions stated in Subsection (B) above.
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 roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (RSMo. §300.375)

Section 14.460 Pedestrians to Use Right Half of Crosswalks

Pedestrians shall move, whenever practicable, upon the right half (½) of crosswalks. (RSMo. §300.080)

Section 14.465 Crossing at Right Angles

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb

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or by the shortest route to the opposite curb except in a crosswalk. (RSMo. §300.385)

Section 14.470 When Pedestrian Shall Yield

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. The foregoing rules in this Section have no application under the conditions stated in Section 14.455 when pedestrians are prohibited from crossing at certain designated places. (RSMo. §300.390)

Section 14.475 Prohibited Crossing

1. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

2. No pedestrian shall cross a roadway other than in a crosswalk in any business district.

3. No pedestrian shall cross a roadway other than in a crosswalk upon any street designated by ordinance.

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. (RSMo. §300.395)

Section 14.480 Obedience of Pedestrians Railroad Signals

No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge when such gate or barrier is closed or is being opened or closed. (RSMo. §300.400)

Section 14.485 Pedestrians Walking Along Roadways

1. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

2. Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. (RSMo. §300.405)

Section 14.490 Drivers to Exercise Highest Degree of Care

Notwithstanding the foregoing provisions of this Title, every driver of a vehicle shall exercise the highest degree of care to avoid colliding with any pedestrian upon any 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. (RSMo. §300.410)

Article X: Method of Parking

Section 14.495 Standing or Parking Close to Curb

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Except as otherwise provided in this Chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen (18) inches of the right-hand curb.

Section 14.500 Signs, or Markings Indicating Angle Parking

1. The City Police Officer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any Federal-aid or State highway within the City unless the State Highway and Transportation Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

2. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street. (RSMo. §300.420)

Section 14.505 Obedience to Angle Parking Signs or Markers

On those streets which have been signed or marked by the City Police Officer 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. (RSMo. §300.42)

Section 14.510 Disabled Parking

It shall be unlawful for any person to park or permit any vehicle to be parked or remain in any parking space properly marked as reserved for disabled parking (or during the hours when the space is reserved for disabled parking, if hours are posted with the sign) unless such vehicle shall display a valid State disabled license plate or placard issued under the provisions of Section 301.142 et. Seq., RSMo., or any other State, or a valid handicapped license plate issued by the Veterans' Administration. Except that a motor vehicle not having such license plate may use the disabled parking space when the driver demonstrates that there was physically disabled occupant in the vehicle at the time of parking or that a physically disabled person was being delivered or collected. The registered owner of any motor vehicle found to be illegally parked in violation of this Section shall be deemed to be responsible for such violation. This presumption shall be rebuttable. This Section shall apply to disabled parking spaces on private property as well as spaces on public rights-of-way and public parking areas.

1. Definitions. For the purpose of this Section, the following words and terms shall have the meanings respectively ascribed:

Physically Disabled: Any natural persons with disabilities which limit or impair the ability to walk, as determined by a licensed physician as follows:

- a. The person cannot walk fifty (50) feet without stopping to rest; or
- b. The person cannot walk without the use of, or assistance from, a brace, cane, crutch, person, prosthetic device, wheelchair, or other assistive device; or
- c. Is restricted by lung disease to such an extent that the person's forced respiratory expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest; or

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- d. Uses portable oxygen; or
- e. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or
- f. Is severely limited in his ability to walk due to an arthritic, neurological or orthopedic condition.

Properly Marked as Reserved for Disabled Parking Only: Any parking space or any area adjacent to a parking space which is indicated by a sign upon which shall be inscribed the international symbol of accessibility in white on a blue background and appropriate wording to indicate the space is reserved for the use of parking or accessing vehicles displaying a distinguishing license plate or card. All signs shall conform to the size requirements and posting rules and guidelines established by the Uniform Traffic Control Manual.

2. How spaces to be designated. Upon request from any business, organization or individual the City Council and/or the Police Officer is authorized to meet and confer with the requesting party and determine the exact location and number of disabled parking spaces needed. Upon the posting of the disabled spaces with the legally adequate signs, the restrictions of this Section shall apply. The City Council and/or Police Officer may limit the effect of the reservation for disabled parking to particular days of the week or particular times of day.

Section 14.515 Vehicle Parking Privileges and accessibility for temporarily disabled persons

1. City Symbol of Access. There is hereby authorized the issuance of a City symbol of access to persons who are temporarily physically disabled either by impairments that confine a person to a wheelchair or that cause a person to walk with difficulty or insecurity, or by sight or hearing impairments that cause an exposure to danger in public areas, or by cardiac illness or aging or other impairment that reduces mobility or perceptiveness that causes an exposure to danger in public areas.

2. Rules and Regulations. The Police Officer is authorized to promulgate reasonable rules and regulations to implement the program of distribution to temporarily disabled persons of the City symbol of access.

3. Authority to Park in Spaces Marked for Disabled Persons. Any person driving a vehicle displaying the City symbol of access may park that vehicle in parking spaces on public or private property which are marked or signed as being reserved for physically disabled persons, provided a physically disabled person is then using said vehicle for transportation.

Article XI: Stopping, Standing or Parking Prohibited in Specified Places

Section 14.520 Stopping, Standing or Parking Prohibited

1. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Police Officer or official traffic control device, no person shall:

- a. Stop, stand or park a vehicle:
 - (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (2) On a sidewalk;

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- (3) Within an intersection;
- (4) On a crosswalk;
- (5) Between a safety zone and adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the (Police Officer) indicates a different length by signs or markings;
- (6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (8) On any railroad tracks;
- (9) At any place where official signs prohibit stopping;

b. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- (1) In front of a public or private driveway;
- (2) Within fifteen (15) feet of a fire hydrant;
- (3) Within twenty (20) feet of a crosswalk at an intersection;
- (4) Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway;
- (5) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance (when properly signposted);
- (6) At any place where official signs prohibit standing.

c. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- (1) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (2) At any place where official signs prohibit parking.

2. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful. (RSMo. §300.440)

Section 14.525 Parking Not to Obstruct Traffic

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic. (RSMo. §300.445)

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Section 14.530 Parking in Alleys

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance of any abutting property. (RSMo. §300.450)

Section 14.535 Parking for Certain Purposes Prohibited

1. No person shall park a vehicle upon any street for the principal purpose of:
 - a. Greasing or repairing such vehicle except repairs necessitated by an emergency.
 - b. Displaying of merchandise for sale or for advertising purposes, except as provided herein.
2. No farmer, gardener or other person selling or offering for sale from trucks, wagons, carts or other vehicles within the City any fruits, vegetables, butter, eggs, cheese, meats, game, poultry and foodstuff of any description, shall stand with such trucks, wagons, carts or other vehicles for more than thirty (30) minutes at any place on any public street or square.
3. No licensed huckster's, hawker's or peddler's vehicles shall be allowed to obstruct the passage of any street or alley.
4. It shall be unlawful for any person to park or keep a vehicle longer than thirty (30) minutes in one (1) block for the purpose of selling merchandise contained in such vehicle. (RSMo. §300.455)

Section 14.540 Parking Prohibited on Narrow Streets

1. The City Police Officer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one (1) side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.
2. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign. (RSMo. §300.465)

Section 14.545 No Stopping, Standing or Parking Near Hazardous or Congested Places

1. The City Police Officer is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
2. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place. (RSMo. §300.480)

Section 14.550 Seventy-Two Hour Parking limitation on City Streets

It shall be unlawful for any person to park a motor vehicle on any City street for more than seventy-two(14) consecutive hours without obtaining the permission of the Police Officer or the Mayor.

Section 14.555 Placing of Vehicles for Loading or Unloading

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It shall be unlawful for the driver of any truck, wagon or other vehicle to place the same other than parallel to the curb or at such an angle and in such a manner as to allow for the safe passage of one (1) line of vehicles. Under such conditions, he may so place such vehicle solely for such a period of time as may be necessary for the purpose of unloading or loading of merchandise or materials into or out of any building or other premises .

Section 14.560 What Constitutes Prima Facia Evidence of Violation

In the trial of any complaint of a violation of any provision of this Chapter, evidence to the presence of any vehicle on any street or other public place in this City in violation of any such provisions, and evidence of the person's name in which such vehicle is registered on the records of either the City Collector or the Director of Revenue of the State shall be prima facie evidence that the person in whose name such vehicle is registered committed or authorized the violation complained of.

Article XII: Stopping For Loading or Unloading Only

Section 14.565 City Police Officer to Designate Curb Loading Zones

The City Police Officer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this Section are applicable. (RSMo. §300.485)

Section 14.570 Standing in Passenger Curb Loading Zone

No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three (3) minutes. (RSMo. §300.490)

Section 14.575 Standing in Freight Curb Loading Zones

No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provision applicable to such zones are in effect. (RSMo. §300.495)

Article XIII: Stopping, Standing or Parking Restricted or Prohibited on Certain Streets

Section 14.580 Application of Section

The provisions of this Section prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic control device (RSMo. §300.520)

Section 14.585 Regulations Not Exclusive

The provisions of this Title imposing a time limit on parking shall not relieve any person from the duty to

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observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times. (RSMo. §300.525)

Section 14.590 Parking Prohibited at all Times on Certain Streets

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described by ordinance. (RSMo. §300.530)

(1) There are two No Parking designations in adjoining parking spaces at the southeast corner of Ogden and Smith streets.

(2) There is a No Parking designation at the southwest corner of Ogden and Smith streets.

(3) There is a No Parking designation at the northwest corner of Ogden and Wall streets.

(4) There is a No Parking designation at the northeast corner of Ogden and Wall streets.

The City of Sturgeon Chief of Police or his designee shall erect sufficient No Parking signs to give notice thereof.

(Ord. 846, Sec. 1, Approved and Effective October 26, 2015, Amended)

Section 14.595 Parking Prohibited During Certain Hours on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified by ordinance of any day except Sunday and public holidays within the districts or upon any of the streets described by ordinance. (RSMo. 300.535)

Section 14.600 Stopping, Standing or Parking Prohibited During Certain Hours on Certain Streets

When signs are erected in each block giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified by ordinance on any day except Sundays and public holidays within the district or upon any of the streets described by ordinance. (RSMo. §300.540)

Section 14.605 Parking Signs Required

Whenever by this Title or any ordinance of the City any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the City Police Officer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense. (RSMo. §300.545)

Section 14.610 Commercial Vehicles Prohibited From Using Certain Streets

In cases where an equally direct and convenient alternate route is provided, an ordinance may describe and signs may be erected giving notice thereof, that no persons shall operate any commercial vehicle upon streets or parts of streets so described except those commercial vehicles making deliveries thereon. (RSMo. §300.550)

Section 14.615 Motorized Play Vehicles and Skateboards

It is the purpose and intent of this section to provide for the regulation of Motorized Skateboards

and Motorized Play Vehicles in order to protect the safety of pedestrians, bicyclists, motor vehicle drivers and operators of Motorized Skateboards and Motorized Play Vehicles alike.

1. Prohibited Operation.

a. No Motorized Skateboard or Motorized Play Vehicle may be operated on any public sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or shared-use path.

b. No Motorized Skateboard or Motorized Play Vehicle may be operated on any private property of another without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

c. No person shall operate a Motorized Skateboard or Motorized Play Vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and

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quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

2. Responsibilities of Parents, Guardians, and Legal Custodians.

a. The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.

b. If a fine is imposed upon a minor who is found to be in violation of this section, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this section.

Article XIV. Bicycle Regulations

Cross Reference – As to clinging to any vehicle, see §340.120; as to limitations concerning use of sidewalks, see §340.070.

Section 14.620 Violation of Article

1. It shall be an offense for any person to do any act forbidden or fail to perform any act required in this Chapter.

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 Chapter.

Section 14.625 Application of Chapter

The provisions of this Chapter shall be applicable to bicycles operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

Section 14.630 Traffic Laws Applicable

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 the laws of this State or by the traffic ordinances of this City and provisions of this Chapter, except as to special regulations in this Chapter and except as to those provisions which by their nature can have no application.

Section 14.635 Obedience of Traffic Control Devices

1. Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other 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.

Section 14.640 Seating of Operator, Passenger

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

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thereto.

2. No bicycle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped.

3. No person shall ride or propel a bicycle on any street of the City with another person on the handlebars in any position in front of the operator.

Section 14.645 Manner of Riding on Roadways, Bicycle Paths

1. Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standard vehicle or one proceeding in the same direction.

2. Persons riding bicycles upon a roadway shall not ride abreast but must advance in single file, except on paths or parts of roadways set aside for the exclusive use of bicycles.

3. Whenever an usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

Section 14.650 Bicycles Prohibited on Sidewalks

It shall be unlawful for any person to push or ride a bicycle on any sidewalks.

Section 14.655 Speed

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

Section 14.660 Riding with Reasonable Care Required

Bicycles shall be ridden with reasonable regard to the safety of the operator and other persons upon the streets of the City.

Section 14.665 Emerging From Alley or Driveway

The operator of a bicycle emerging from an alley, driveway, or building, shall upon approaching a sidewalk or the sidewalk extending across any alleyway, yield the right of way to all pedestrians approaching on such sidewalk or sidewalk area, and upon enter the roadway shall yield the right of way to all vehicles approaching on such roadway.

Section 14.670 Carrying Packages, Bundles or Articles

No person operating a bicycle shall carry any package(s), bundle(s) or article(s) which prevents the rider from keeping at least one (1) hand upon the handlebars.

Section 14.675 Bicycles, Vehicles and Devices Prohibited on City Property.

It shall be unlawful for any person to take any bicycle, vehicle or other transportation device, or any animal (except seeing-eye dogs), or glass bottle(s) into any shelter house or onto any tennis court owned by the City of Sturgeon, Missouri, or to be in possession or control of any such thing or item while so located, except for the purpose

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of removing the same from such location.

The foregoing prohibition of glass bottles shall not apply at the places and on and during the times which shall have been designated by the Board of Aldermen as places and times of celebration or special occasions under Section 5.170.

(Ord. 434, Sec. 1 and Sec. 2, Approved and Effective November 28, 1983.)

Section 14.680 Parking

No person shall park a bicycle upon a street other than upon the roadway against the curb or at the curb, in such manner as to afford the least obstruction to traffic.

Section 14.685 Taking a Ride Without Owner's Consent Prohibited

No person shall take any bicycle for the purpose of riding or propelling the same upon any street without the consent of the owner.

Section 14.690 Lights and Reflector Required for Operation at Night

No bicycle shall be used between thirty (30) minutes after sunset and thirty (30) minutes before sunrise, without lights as prescribed by Section 307.185 RSMo.

Section 14.695 Warning Device

No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped nor shall any person use upon a bicycle any siren or whistle.

Section 14.700 Brake

Every bicycle shall be equipped with a brake which meets the standards as set forth in Section 307.183 RSMo.

Article XV. Impoundment of Vehicles

Section 14.705 Policy

It shall be the policy of the City of Sturgeon, Missouri, to impound motor vehicles which are being operated in particularly dangerous fashion, so as to make the streets and by-ways safer for the law-abiding citizens, to the end that motor vehicles that are operated in the City are properly licensed, registered, driven by legal drivers, insured, and not under the control of persons who are intoxicated.

(Ord. 739, Sec. 5, Approved and Effective May 25, 2011, Amended)

Section 14.710 Authorization

Any Police Officer of the City of Sturgeon, Missouri, is hereby directed to impound and retain custody of any motor vehicle in accordance with the provisions of this Chapter when such motor vehicle:

1. Is being operated by an individual who does not have a driver's license issued by the State, territory or nation in which the individual resides, and which license is recognized by Missouri by reciprocity or other requirements.

2. Is being operated while improperly registered (that is, the current owner is not the person shown on the certificate of title).

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3. Is being operated while not properly licensed (that is, that the license plate on the vehicle has been issued for a different vehicle, to a different owner, or otherwise is not properly registered).

4. Is being operated without the required insurance coverage as provided in the ordinances of the City of Sturgeon and the laws of the State of Missouri.

5. Is being operated by someone who is intoxicated.

6. Is being operated by a person under the age of twenty-one (21) years who has in his/her possession alcoholic beverages.

7. Is parked in violation of the City parking regulations in such a way that two-way traffic is impeded, or in such a way as to obstruct a City fire truck or other emergency vehicle from being operated on the street.

8. Has been continuously parked on any public street longer than 72 hours

(Ord. 739, Sec. 6, Approved and Effective May 25, 2011, Amended)

Section 14.715 Notice

Upon impoundment of the motor vehicle, the City Police Officer shall provide notice to each of the occupants of the motor vehicle in the form of "Notice of Impoundment of Vehicle" which is set out as Appendix A to this Chapter.

Section 14.720 Additional Notice to Owner

If a license check or registration check on the motor vehicle performed through the MULES system or other computerized source reveals that the motor vehicle is shown as being owned by someone other than one (1) of the occupants of the motor vehicle, or if the Police have the knowledge or belief that the vehicle is owned or habitually found at the residence of a particular individual not an occupant of the vehicle, within two (2) hours of the impoundment, the Police shall attempt a telephone notice to the individual. Such notice shall consist of a brief explanation of the impoundment of the vehicle by the Police Department, and a reading of the printed notice provided in the preceding Section. In addition, a copy of the notice read to the individual shall be mailed to the individual, postage prepaid, through the U.S. mail. The Police shall record the names of the persons contacted by telephone, the date and time of such contact, and shall retain a copy of the mailed notice.

Section 14.725 Right to Immediate Hearing

Any person who claims to have any interest in the motor vehicle is entitled to an immediate hearing. The hearing shall be formal or informal, depending upon the request of the individual. In the absence of a specific request, informal hearings shall be conducted. If a formal hearing is requested, it will be scheduled to be conducted by the Municipal Court of Sturgeon, Missouri, and such hearing shall normally be scheduled for the next scheduled court date of the Municipal Court. However, if any applicant desires an earlier hearing, the appropriate official shall schedule the hearing within twenty-four (24) hours of the request.

(Ord. 739, Sec. 7, Approved and Effective May 25, 2011, Amended)

Section 14.730 Immediate Informal Hearing

1. An informal hearing can be had before any officer of the Sturgeon Police Department; the City Clerk or any City Official at a time when that person is regularly on duty. If a person chooses to have a hearing before the City Clerk or the Mayor, he/she must wait until that individual is scheduled for work.

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2. An immediate hearing is an opportunity for the applicant to explain why he/she feels that the motor vehicle was improperly taken. If the applicant can demonstrate that, in fact, the computer system was in error or that the City has improperly obtained the car (that the driver was, in fact, licensed to drive; that the car was, in fact, properly registered, properly licensed, properly insured; or that the operator was not intoxicated or a minor in possession of intoxicants) the informal hearing officer shall immediately release the motor vehicle to the owner thereof, and there shall be no charges for an impoundment fee, no daily storage charges, and the City of Sturgeon, Missouri, shall pay to the owner thereof the sum of fifty dollars (\$50.00) as compensation for the improper seizure of the vehicle.

(Ord. 739, Sec. 8, Approved and Effective May 25, 2011, Amended)

Section 14.735 Immediate Formal Hearing

Any person desiring an immediate formal hearing shall make a request. The request shall be directed to any of the informal hearing officers mentioned in the preceding Section. The informal hearing officer shall arrange for the Municipal Court to hear the matter at a time convenient for the applicant, and if the applicant demands, within twenty-four (24) hours of the request. If, for any reason, the formal hearing cannot be scheduled within twenty-four (24) hours of the request, the City shall return the motor vehicle to the registered owner, pending a later hearing. If the vehicle is returned and at a later hearing the applicant is unable to demonstrate that the motor vehicle has been impounded improperly, the Municipal Court may direct the Police to re-impound the vehicle.

Section 14.740 Special Procedure, Unlicensed Driver

If the motor vehicle has been impounded because the vehicle has been operated by an individual who did not have a valid driver's license, the vehicle shall be returned to the proper owner upon the owner executing a written affidavit that the owner did not know of the unlicensed status of the driver. However, this release to the innocent owner shall be permitted only one (1) time per year. The owner of the motor vehicle shall, at the same time that he/she executes the affidavit, be informed that it is his/her responsibility, when releasing an automobile to another person, to determine that the proposed operator of the vehicle is, in fact, licensed. If the hearing officer believes that the operation of the motor vehicle by the unlicensed driver was without the permission of the owner of the vehicle (i.e. that the vehicle was stolen, or that a permitted driver in turn permitted a third (3RD) party to operate the vehicle) the motor vehicle will be returned to the owner without regard to the preparation of such affidavit, and even if a previous affidavit has been prepared. However, upon returning vehicle to the owner after it has been operated by an unlicensed driver, the owner will be required to pay the fees imposed.

Section 14.745 Special Procedure Upon Impoundment of Vehicle Operated by Intoxicated Driver or Minor in Possession of Alcohol

If a motor vehicle is operated by a driver who is intoxicated, or a minor in possession of alcohol, said motor vehicle shall be returned to the owner thereof upon request and without payment of any fees other than the daily storage fee, if the owner appears, demonstrates that he/she is sober and able to operate the motor vehicle in a legal fashion. However, upon returning vehicle to the owner after it has been operated by an unlicensed driver, the owner will be required to pay the fees imposed by Section 14.330.

Section 14.750 Formal Hearing to be Scheduled

At the time the motor vehicle is impounded, the impounding officer shall schedule a hearing of a formal nature in the Municipal Court, on the next regularly scheduled court date that is available for such hearings. If any summonses are given to any persons charging any persons with violating any ordinances of the City, this second (2ND) formal hearing shall be scheduled at the same time as the ordinance violation charge. The date and time of the formal hearing (which will be scheduled even without a request from any person) shall be indicated on the notice

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described in Section 14.110 above. In addition to the formal hearing, any person shall have the right to request a second (2ND), third (3RD), or subsequent informal hearing.

Section 14.755 Subsequent Informal Hearings

Subsequent informal hearings can be had before the same persons described in the Section above. The focus on these hearings shall not be only on the propriety of the original impoundment, but upon release of the vehicle once the reason for the impoundment no longer exists (that is, motor vehicle was originally impounded because it did not have insurance, the second (2ND) informal hearing shall be available any time upon request, and if the owner of the vehicle demonstrates that the vehicle now is insured, that same shall be released to that owner provided that the owner first pays the fees as described below).

Section 14.760 Procedure Upon Impoundment

When a motor vehicle is impounded, the City Police Officer is authorized to take the keys and to drive the vehicle to the impoundment lot. If the driver objects to the Police Officer operating the motor vehicle, then the Police are authorized to lock the vehicle where it is and leave it unattended until such time as a tow vehicle can come and tow the impounded vehicle to the impound yard.

Section 14.765 Fees Upon Impoundment

If the motor vehicle has been impounded improperly, there shall be no fees charged, and the applicant shall be paid the sum of fifty dollars (\$50.00) by the City as compensation for the inconvenience associated with the impoundment. If, on the other hand, the motor vehicle has been properly impounded, the following fees will be due and payable before the vehicle is released:

1. Any towing charges imposed for towing the vehicle to the impound lot.
2. An administrative impoundment fee of seventy-five dollars (\$75.00).
3. Storage at eight dollars (\$8.00) per day.

Section 14.770 Transfer of Title

If no person has inquired about the return of the motor vehicle by the time of the scheduled Municipal Court hearing, and if at said hearing the City demonstrates that it had cause for the impoundment of the vehicle, and if no application is made for the return of the vehicle during that hearing, the Municipal Court may order that the motor vehicle be sold, either to a junk yard or at public sale. The Municipal Court shall authorize the Police Officer to execute the necessary bill of sale and other documents that are required by the Missouri Department of Revenue in order to transfer said title to the purchaser thereof.

Section 14.775 Responsibility

Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by this Code, and attempt to do the act is likewise prohibited.

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SCHEDULE I. THROUGH STREETS (STOP SIGNS)

When signs are erected giving notice thereof, drivers of vehicles shall stop at every intersection before proceeding at any of the following locations:

Intersection

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SCHEDULE II. RESTRICTED PARKING

- A. The following locations have parking restrictions placed on them. No driver of any vehicle shall stop, stand or park such vehicle at any time on the following streets or locations:

- B. The following locations have special restrictions on them:

- C. Alleyway Restrictions.

- D. Flat Bet Trucks – Parking.

The word “*parking*” as used herein shall mean when the vehicle is stationary and non-moving, whether occupied or not.

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SCHEDULE III. Disabled PARKING

Cross Reference – Penalty for violation of Disabled parking provisions, § (D).

No driver of any vehicle shall stop, stand or park such vehicle in any of the following parking spaces reserved for the Disabled, without displaying the approved Disabled sticker:

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SCHEDULE IV. ANGLE PARKING

The driver of a vehicle parked at the following locations shall park at an angle in accordance with traffic markings:

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SCHEDULE V. U-TURN

No driver of a vehicle shall make a U-turn in any of the following areas:

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SCHEDULE VI. TRUCK ROUTES

Cross Reference – Penalty for violations of truck route provisions, § _____.

The following are designated truck route streets:

See attached map for designated truck route streets.

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SCHEDULE VII. ONE-WAY STREETS AND ALLEYS

Traffic shall move in only the direction indicated upon the following streets:

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SCHEDULE VIII. SPEED LIMITS

All drivers of a motor vehicle shall observe the following speed limits in accordance with the following zones, locations and times:

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SCHEDULE IX. YIELD INTERSECTIONS

When signs are erected giving notice thereof, drivers of vehicles shall yield at every intersection before proceeding at any of the following locations:

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SCHEDULE X. RESTRICTED PARKING – TOW-AWAY ZONE

The following location has a parking restriction placed on it. When signs are erected giving notice thereof no driver of any vehicle shall stop, stand or park such vehicle at any time in said location. Unauthorized vehicles parked in said parking space(s) will be towed away upon authorization from the Police Department.

Penalty. A penalty of no less than twenty-five dollars (\$25.00) will be assessed against the owner of the vehicle parked in the "*Tow-Away Zone.*"