

TITLE 6 MOTOR VEHICLES AND TRAFFIC

CHAPTER 1 UNIFORM TRAFFIC CODE; GENERAL PROVISIONS

6-1-1: UNIFORM TRAFFIC CODE ADOPTED:

The Utah traffic rules and regulations, title 41, chapter 6 of Utah Code Annotated, is hereby approved and adopted as the traffic code for the city, except as such code may be altered or modified by the ordinances of the city.

- A. Reasonable Care Required When Driving: It shall be unlawful for any person to drive a vehicle without the care and caution of a reasonable, prudent person under the circumstances then and there existing, or in a manner so as to endanger or likely to endanger any person or property.
- B. Proper Lookout Required: No person shall drive a motor vehicle within the corporate limits of the city in such a manner so as to endanger lives or property by failing to keep a safe and proper lookout for other traffic, objects or persons. (1989 Code § 11-321)
- C. Penalty: Any person violating, causing or permitting violation of any provisions of this section shall be punished as provided in Utah Code Annotated section 41-6-12. (1989 Code § 11-321; amd. 1998 Code)

6-1-2: DEFINITIONS:

Unless the context otherwise requires, all references in the traffic code to:

- A. The "state road commission" or "state department of transportation" shall mean the city and its officers, departments, agencies and agents.
- B. "Local authorities" shall mean the city council. (1989 Code § 11-322)
- C. The "department of public safety of the state of Utah" shall mean the Davis County sheriff or his agent.
- D. "Magistrate" shall mean the justice court judge or the city. (1989 Code § 11-322; amd. 1998 Code)

6-1-3: TRAFFIC CONTROL:

A. Prima Facie Speed; Designated Streets:

1. Streets With Signs: When appropriate street signs giving notice of the maximum permitted speed thereon are erected, the prima facie speed limit designated in the appropriate section of Utah Code Annotated shall apply to the appropriate streets listed therein.

2. Streets Not Posted: Unless otherwise provided in this chapter or in any other ordinance of the city, the prima facie speed limits on the streets of the city shall be twenty five (25) miles per hour. (1989 Code § 11-323; amd. 1998 Code)

B. Through Streets Designated: Those streets and parts of streets described in the appropriate comprehensive general plan are hereby declared to be through streets. (1989 Code § 11-325; amd. 1998 Code)

C. Erection Of Stop Or Yield Signs: Whenever any ordinance of the city designates and describes a through street, it shall be the duty of the Davis County sheriff's department or the public works director to place and maintain a stop sign or, where safety and efficiency require at any intersection, a yield sign on each and every street intersecting such through street, unless traffic at such intersection is controlled at all times by traffic control signals. However, at the intersection of two (2) through streets or at the intersection of a through street and a heavily traveled street, stop signs shall be erected at the approaches to either streets as determined by the Davis County sheriff's department and on the basis of an engineering and traffic study. (1989 Code § 11-326; amd. 1998 Code)

D. Angle Parking: The public works department shall mark or sign the streets or parts of streets where angle parking is permitted. (1989 Code § 11-324; amd. 1998 Code)

6-1-4: PARKING REGULATIONS:

A. Signs; Erection: The city council may authorize or direct any person employed by the city to erect or install any sign or traffic control device required to enforce the provisions of this chapter. (1989 Code § 11-342)

B. Properly Posted Areas: It shall be an infraction to park or leave standing at any time a motor vehicle, as defined in the Utah traffic code, as adopted by the city, except when necessary to avoid interference with other traffic or in compliance with the directions of a police officer or traffic control device. (1989 Code § 11-343; amd. 1998 Code)

C. Blocking Streets Or Highways: In addition to the parking provisions contained in the Utah traffic code, as adopted by the city, it shall be an infraction, for any person to: (1989 Code § 11-341; amd. 1998 Code)

1. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct

the free passage of vehicular or pedestrian traffic thereon.

2. Wilfully remain standing, lying or sitting on any street or highway in such a manner for more than one minute after being requested to move by any police officer.

3. Wilfully remain on such street or highway in such a manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway. (1989 Code § 11-341)

D. Unlawful Parking:

1. Parking At Curb: No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one-way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line, except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks. (1989 Code § 11-344; amd. Ord. 96-5, 11-12-1996, eff. 11-30-1996)

2. Vehicles For Sale: It shall be unlawful to park any vehicle on any street or public parking lot for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street or public parking lot. (Ord. 03-1, 3-11-2003)

3. Loading Zone: When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such. (1989 Code § 11-344; amd. Ord. 96-5, 11-12-1996, eff. 11-30-1996)

4. Parking Prohibited: It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles, when properly posted, to park any motor vehicle on any street or public parking lot in violation of the posted restrictions. (Ord. 03-1, 3-11-2003)

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

6. Cab Stands; Bus Stands: No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. (1989 Code § 11-344; amd. Ord. 96-5, 11-12-1996, eff. 11-30-1996)

7. Time Limit; Impoundment: It shall be an infraction, subject to penalty as provided in section 1-4-1 of this code, for any person to park or leave standing on any public road, street, alley, public parking lot or city property any type of vehicle, including recreational, farm equipment or trailers for forty eight (48) or more consecutive hours, and any vehicle so

parked or left standing may be impounded or removed by the Davis County sheriff. For purposes of impoundment and removal, the Davis County sheriff may impound and remove any type of vehicle, including recreational, farm equipment or trailers, which has been unmoved for forty eight (48) consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle. (Ord. 03-1, 3-11-2003)

a. Residents or persons visiting may apply to the city for a permit for parking in public parking lots for more than forty eight (48) hours but less than seven (7) days. The city, for good cause shown, may issue a permit that shall be displayed in the window and is visible to law enforcement agencies. (Ord. 03-5, 10-14-2003)

8. Large Vehicles And Loads: It shall be unlawful for any vehicle or combination of vehicles and load having a length of more than thirty five feet (35') or a width of more than eight feet (8'), or which is registered for twenty four thousand (24,000) pounds gross weight or more, or for a truck tractor, as defined in section 41-6-1, Utah Code Annotated, to park on any city street for a period in excess of one hour; provided, however, that this subsection shall not apply to any authorized emergency vehicle being used for emergency purposes. (1989 Code § 11-344; amd. Ord. 96-5, 11-12-1996, eff. 11-30-1996)

9. Specific Months Restricted: It shall be unlawful to park a vehicle or recreational vehicle or farm equipment on any street in the city between the hours of twelve o'clock (12:00) midnight and twelve o'clock (12:00) noon from November 1 to March 31, except as follows: (1989 Code § 11-344; amd. Ord. 96-5, 11-12-1996, eff. 11-30-1996; Ord. 98-8, 3-24-1998, eff. 4-14-1998)

a. Physicians and other emergency vehicles during emergency calls. (1989 Code § 11-344)

b. Residents or persons visiting when required by emergency or other unusual circumstances may apply to the city for a permit for all night parking on the street. The city, for good cause shown, may issue a permit and shall issue an authorization that shall be displayed in the window and is visible to law enforcement agencies. (Ord. 03-5, 10-14-2003)

E. Penalty: Any person violating any of the provisions of this section, shall be guilty of an infraction and subject to penalty as provided in section 1-4-1 of this code. (Ord. 98-13, 7-14-1998)

6-1-5: MOTOR ASSISTED SCOOTERS AND PERSONAL MOTORIZED MOBILITY DEVICES:

A. Definitions:

BICYCLE: Every device propelled by human power upon which any person may ride, having two (2) tandem wheels, except scooters and similar devices.

HIGHWAY: The entire width between property lines of every way or place of any nature when any part of it is open to the use of the public as a matter of right for vehicular travel.

MOPED: A motor driven cycle having both pedals to permit propulsion by human power, and a motor which produces not more than two (2) brake horsepower and which is not capable of propelling the cycle at a speed in excess of thirty (30) miles per hour on level ground. If an internal combustion engine is used, the displacement may not exceed sixty (60) cubic centimeters and the moped shall have a power driven system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. A moped includes an electric assisted bicycle and a motor assisted scooter.

MOTOR ASSISTED SCOOTER: A self-propelled device with at least two (2) wheels in contact with the ground, a braking system capable of stopping the unit under typical conditions, a gas or electric motor not exceeding forty (40) cubic centimeters, a seat or a deck designed for a person to sit, straddle, or stand while operating the device, and the ability to be propelled by human power alone.

MOTOR DRIVEN CYCLE: Every motorcycle and motor scooter, personal motorized mobility device, moped, electric assisted bicycle, motor assisted scooter, and every motorized bicycle having an engine with less than one hundred fifty (150) cubic centimeters displacement or having a motor which produces not more than five (5) horsepower.

PERSONAL MOTORIZED MOBILITY DEVICE: A self-propelled device with two (2) nontandem wheels in contact with the ground, a system capable of steering and stopping the unit under typical operating conditions, a motor not exceeding one horsepower or seven hundred fifty (750) watts, and a deck designed for a person to stand while operating the device. A "personal motorized mobility device" does not include a wheelchair.

All other definitions pertaining to this section shall be as defined in the Utah Code Annotated 41-6-1.

- B. Age Restrictions: Subject to the provisions of this section, a person under sixteen (16) years of age may not operate a personal motorized mobility device or a motor assisted scooter using the motor unless the person is under the direct supervision of the person's parent or guardian.
- C. Motor Assisted Scooter: A person may not operate a motor assisted scooter:
 - 1. In a public parking structure;
 - 2. On public property posted as an area prohibiting skateboards;
 - 3. On a highway consisting of a total of four (4) or more lanes designated for regular vehicle traffic;
 - 4. On a highway with a posted speed limit greater than twenty five (25) miles per hour; or
 - 5. That has been structurally altered from the original manufacturer's design.

- D. Personal Motorized Mobility Device: A person may not operate a personal motorized mobility device:
 - 1. On a highway consisting of a total of four (4) or more lanes designated for regular vehicular traffic;
 - 2. On a highway with a posted speed limit greater than thirty five (35) miles per hour; or
 - 3. That has been structurally altered from the original manufacturer's design.
- E. Nonmotorized Vehicle: Except where posted or prohibited by rule or local ordinance, a motor assisted scooter is considered a nonmotorized vehicle if it is being used with the motor turned off.
- F. Exceptions: The city may authorize exceptions to this section for city sponsored activities.
- G. Violation: A person who violates this section is guilty of a class C misdemeanor. (Ord. 04-9(A), 8-10-2004)