

TITLE 10
VEHICLES AND TRAFFIC

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(RESERVED Repealed by Ord. No. 317, 2010)

CHAPTER 10.08

BICYCLES

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10.08.010 **LICENSE REQUIRED**

No person shall operate or use a bicycle propelled wholly or in part by muscular power upon any streets or public highways of the town without first obtaining from the Police Department a license therefore. (Ord. No. 157 § 1, 1964)

10.08.020 **ISSUANCE OF LICENSE**

The Police Department is authorized and directed to issue, upon written application, bicycle licenses which shall be effective for one calendar year. All such license shall be dated January 1st of the year for which issued. On issuance, such licenses shall entitle the licensee to operate such bicycle for which the license has been issued upon all the streets and public highways, exclusive of the sidewalks thereof, in the town. (Ord. No. 157 § 2, 1964)

10.08.030 **METALLIC PLATES AND REGISTRATION CARDS**

The Town shall provide each year metallic license plates and registration cards which shall have numbers stamped thereon in numerical order, beginning with Number 1, and shall indicate the year for which they are issued, and shall have the words "Bicycle" and "Miami" stamped thereon. Such metallic license plates shall be suitable for attachment upon the frame or rear fender or seat springs of bicycles. It shall be the duty of the Police Department to attach one such metallic license plate to each bicycle and to issue a corresponding registration card to the licensee upon the payment of the license fee. Such metallic license plate shall remain attached during the valid period of such license. The Police Department shall keep a record of the date of issuance of each license, the name and address of the person to whom issued and the number thereof. (Ord. No. 157 § 3, 1964)

10.08.040 **DEALERS REPORT OF PURCHASES AND SALES**

Persons engaged in the business of buying or selling new or second-hand bicycles are required to make regular reports as may be required by the Police Department, specifying:

- A. The name and address of the person from whom a secondhand bicycle is purchased, or to whom a new or secondhand bicycle is sold;
 - B. The description and frame number of such bicycle;
 - C. The number of the metallic license plate attached thereto, if any.
- (Ord. 157 § 4, 1964)

10.08.050 **TRANSFER, REPORT REQUIRED**

It shall be the duty of every person who sells or transfers ownership on any bicycle to report such sale or transfer by returning to the Police Department the registration card issued to such person as licensee thereof, together with the name and address of the person to whom such bicycle was sold or transferred. Such report shall be within five days of the date of such sale or transfer. It shall be the duty of the purchaser or transferee of such bicycle to apply for a transfer of registration therefor within five days of such sale or transfer. (Ord. No. 157 § 5, 1964)

10.08.060 **REMOVAL OF NUMBERS AND DESTRUCTION OF PLATES PROHIBITED**

No person shall willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this chapter. No person shall remove, destroy, mutilate or alter any license plate or registration card during the time in which such plate or registration card is operative. Nothing in this section shall prohibit the Police Department from stamping number on the frames of bicycles on which no serial number can be found or on which the number is illegible or insufficient for identification purposes. (Ord. No. 157 § 6, 1964)

10.08.070 **LICENSE REGISTRATION AND TRANSFER FEES**

For each annual license issued pursuant to this chapter the sum of one dollar (\$1.00) shall be paid. In cases where a transfer of ownership is made in the manner prescribed by this chapter the fee for transfer of the license shall be fifty cents (\$0.50). (Ord. No. 157 § 7, 1964)

10.08.080 **PENALTIES**

Every person, firm or corporation violating any of the provision of this chapter shall be deemed guilty of a misdemeanor, and upon conviction shall be punishable by a fine of not more than three hundred dollars (\$300.00), or by imprisonment in the town jail for a period of not more than three months, or by both such fine and imprisonment. In addition to the penalty hereinabove set forth, the Police Department of the town or any of the members thereof, may impound and retain possession of any bicycle operated in violation of any of the provisions of this chapter, and retain possession of the same until the license provided for in this chapter is obtained by the owner of such bicycle. (Ord. No. 157 § 8, 1964)

CHAPTER 10.12

PARKING

SECTION:

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10.12.030	DESIGNATION OF INDIVIDUAL PARKING SPACES
10.12.040	PARKING METERS TO BE INSTALLED
10.12.050	REGULATION OF PARKING IN INDIVIDUAL PARKING SPACES
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10.12.080	PARKING IN RESTRICTED SPACES PROHIBITED
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10.12.100	USE OF SLUGS PROHIBITED
10.12.110	VIOLATORS TO BE TICKETED
10.12.120	TWO-HOUR LIMIT
10.12.130	PARKING OF RECREATIONAL VEHICLES REGULATED
10.12.140	PENALTY
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10.12.010 DEFINITIONS

As used in this chapter the following words shall be defined as follows:

“Individual parking space” means a portion of the paved surface of the street of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked as shall be specified and marked off by the Street Superintendent and Chief of Police of the Town.

“Mechanical parking time indicators” or **“parking meters”** means a device or devices which shall indicate thereon the length of time during which a vehicle may be parked in a particular place, which shall have as a part thereof a receptacle or chamber for receiving and storing coins of the United States money, a slot or place in which such coin may be deposited; a timing mechanism to indicate the passage of the interval of time during which parking is permissible and which shall also display an appropriate signal when the aforesaid interval of time shall have elapsed; also brief instructions as to their operation.

“Parking” means the standing of a vehicle upon a street whether such vehicle is occupied or not and whether such vehicle is accompanied or not by an operator for a period of time in excess of two minutes.

“Vehicle” means any device in, upon or by which any person or property is or may be transported upon a public highway except such as are used exclusively upon stationary rails or tracks and such devices as are propelled exclusively by human power.

(Ord. No. 127 § 1, 1947)

10.12.020 **CONGESTED AREA**

For the purpose of the ordinance codified in this chapter the congested traffic area is declared to be Sullivan Street, beginning at Miami Avenue and running to Cordova Avenue; Live Oak Street, beginning at Miami Avenue and running to Inspiration Avenue; Miami Avenue, beginning at Gibson Street and running to Live Oak Street; Keystone Avenue, beginning at Gibson Street and running to the Southern Pacific right-of-way; Inspiration Avenue, beginning at Gibson Street and running to Live Oak Street; Cordova Avenue, beginning on Sullivan Street and running to Live Oak Street; and the Mayor and Common Council determine that because of the flow of traffic on the streets or portions of the streets within such area that parking therein shall be subject to the provisions of this chapter. (Ord. No. 127 § 2, 1947)

10.12.030 **DESIGNATION OF INDIVIDUAL PARKING SPACES**

The Street Superintendent and Chief of Police are authorized and directed to designate and mark off such individual parking spaces as they deem proper along the streets in the congested traffic area, for the parking of vehicles. At each place where individual parking is so marked off, each vehicle shall be parked entirely within an individual parking space. (Ord. No. 127 § 3, 1947)

10.12.040 **PARKING METERS TO BE INSTALLED**

The Street Superintendent is authorized and directed to place, install and remove parking meters upon the curbside, or in the immediate vicinity of the individual parking places designated and marked off in the congested traffic area where parking is restricted. All such parking meters shall comply with the conditions set forth in the second paragraph of Section 10.12.010 and such meters shall be under the management, supervision and control of the Town Clerk of the Town. (Ord. No. 127 § 4, 1947)

10.12.050 **REGULATION OF PARKING IN INDIVIDUAL PARKING SPACES**

- A. Whenever a vehicle shall be parked in an individual parking space, where a parking meter has been installed, the person parking such vehicle shall deposit one cent (\$0.01) coins, or a five cent (\$0.05) coin of the United States money in such parking meter, if such meter display a signal showing that legal parking is only permitted on such deposit.

- B. The Mayor and Common Council shall in accordance with the provisions of this chapter determine the length of time that parking is permissible in an individual parking space for which a meter is installed upon the deposit of one cent (\$0.01), two cents (\$0.02), three cents (\$0.03), four cents (\$0.04) or five cents (\$0.05), in the parking meter as hereinbefore provided. Notice to the public shall be given by appropriate signs setting forth the length of time for which parking is permitted and the conditions thereof. These may be upon the parking meter stand or in the immediate vicinity. Any vehicle which remains in an individual parking space, after the prescribed time for parking is determined to be illegally parked, but in no event shall it be considered illegal parking if the meter display signal shows that a proper deposit has been made for such parking.

- C. The provision of this chapter shall not apply to vehicles parked or standing upon the Town streets of the town in the congested areas hereinbefore designated when such vehicles are parked or standing on such street between the hours of six p.m. in the evening until eight a.m. the following morning of each week day. The provisions of this chapter shall not apply on Sundays and national holidays.

(Ord. No. 127 § 5, 1947)

10.12.060 **EVIDENCE**

All parking is prohibited in any parking space where a meter is installed which displays a signal showing that parking is not permitted, unless deposit of a one cent (\$0.01) coin or coins and/or a five cent (\$0.05) coin is made as provided in this chapter. Any vehicle parked in contravention of this provision shall be deemed to be illegal parking under the provisions of this chapter. The fact that a vehicle is in an individual parking space when the time signal on the meter for the same shows no parking permitted, unless a deposit of a proper coin is made as provided in this chapter shall be deemed prima facie evidence of the unlawful parking of such motor vehicle by its operator and/or, its owner. (Ord. No. 127 § 6, 1947)

10.12.070 **OVERTIME PARKING PROHIBITED**

It is unlawful and a violation of the provisions of this chapter for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as described in this chapter. (Ord. No. 127 § 7, 1947)

10.12.080 **PARKING IN RESTRICTED SPACES PROHIBITED**

It is unlawful and a violation of the provisions of this chapter for any person to permit a vehicle to remain or be placed in any parking space adjacent to any parking meter while such parking meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space. (Ord. No. 127 § 8, 1947)

10.12.090 **TAMPERING WITH PARKING METERS PROHIBITED**

It is unlawful and a violation of the provisions of this chapter for any person to deface, injure, tamper with or open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this chapter. (Ord. No. 127 § 9, 1947)

10.12.100 **USE OF SLUGS PROHIBITED**

It is unlawful and a violation of the provisions of this chapter to deposit or cause to be deposited in any parking meter, any slug or device or metallic substance or any other substitute for one coin (\$0.01) or five cent (\$0.05) coins of the United States. (Ord. No. 127 § 10, 1947)

10.12.110

VIOLATORS TO BE TICKETED

It shall be the duty of the police officers of the Town, acting in accordance with the instructions issued by the Chief of Police of the Town to report:

- A. The state license number of such vehicle which is parking in violation of any of the provisions of this chapter;
- B. The time during which such vehicle is parking in violation of any of the provisions of this chapter;
- C. The number of each parking meter which indicated that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this chapter.

Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violations.

Each officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this chapter and instructing the owner or operator to report to the Town Magistrate of the Town, or such other instructions as are hereinafter provided in lieu thereof, in regards to such violation. Each owner or operator may, within twenty-four (24) hours of the time when such notice was attached to such vehicle, pay to the Town Magistrate, or place in the envelope provided and deposit in any of the collection boxes installed for such purpose, as a penalty for and in full satisfaction of such violation, the sum of one dollar (\$1.00). The failure of such owner or operator to make such payment within the twenty-four (24) hours shall render such owner or operator subject to the penalties hereinafter provided for violation of the provisions of this chapter.
(Ord. No. 159, 1964: Ord. No. 127 § 11, 1947)

10.12.120

TWO-HOUR LIMIT

No vehicle, otherwise lawfully parked, shall remain in the same parking space on any of the following streets or avenues for longer than two consecutive hours, between the hours of eight a.m. and six p.m., Monday through Saturday:

Sullivan Street from Miami Avenue to Nash Avenue
Live Oak Street from Miami Avenue to Nash Avenue
Keystone Avenue from Sullivan Street to Live Oak Street
Cordova Avenue from Sullivan Street to Live Oak Street
Miami Avenue from Sullivan Street to Live Oak Street
Inspiration Avenue from Sullivan Street to Live Oak Street.
(Ord. No. 200 § 1, 1978)

10.12.130

PARKING OF RECREATIONAL VEHICLES REGULATED

- A. It is unlawful for any person to stop, stand or park any motor home, camping trailer, boat trailer, recreational vehicle or similar vehicles, on the streets and alleys of the town for a period of more than forty-eight (48) hours consecutive hours. Movement from one location within the town to another location in the town shall not interrupt the running of number of hours required to constitute a violation of this section.

- B. Any person, firm or corporation whether as owner, agent, tenant or otherwise who violates, disobeys, omits or refuses to comply with or who resists the enforcement of any of the provisions of this section shall be guilty of a petty offense and upon conviction be punished by a fine of not more than three hundred dollars (\$300.00).

Each day a violation is permitted to exist shall constitute a separate offense.

(Ord. No. 235 (6/14/93) § 1, 1993; Ord. 2No. 35 (12/5/88) §§ 1, 2, 1988)

10.12.140 **PENALTY**

Any person who shall violate any of the provisions of this chapter and any person aids, abets or assist therein shall, upon conviction thereof, be subject to a fine of an amount not exceeding fifty dollars (\$50.00), or thirty (30) days in the Town jail, or by both such fine and imprisonment.

(Ord. No. 127 § 12, 1947)

10.12.150 **COLLECTION OF COINS DEPOSITED IN METERS**

The Town Clerk shall designate some members of the Police Department, or other person, to collect the coins deposited in parking meters. In collecting such coins, the person or persons so designated shall remove the seal coin chamber or compartment from each parking meter and deliver the same to the Town Treasurer of the Town. The Treasurer of the Town shall count the coins so delivered and deposit the same to the credit of the Town. (Ord. No. 127 § 13, 1947)

10.12.160 **CHAPTER TO SUPPLEMENT GENERAL TRAFFIC ORDINANCE**

- A. This chapter shall be construed as a supplement to the general traffic ordinance and all other ordinances of the Town regulating traffic, parking and the use of the streets, which shall be in force and effect in the congested district except insofar as modified by the provisions hereinbefore set forth. Any authority heretofore or hereafter exercised by the Town under any ordinance, rule or regulation restricting or prohibiting parking, independent of time limits, shall in no manner be affected by this chapter or any of the provisions thereof. The purpose of this chapter is to assist in the regulation of overtime parking by the use of parking meters and it shall be so construed.

- B. Nothing in this chapter shall be construed as prohibiting the Town from providing for free parking space for loading and unloading, for taxicabs, stands, and for other matters of similar nature.

(Ord. No. 127 § 14, 1947)