

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

§ 70.001 DEFINITIONS.

For the purpose of this title the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the Fire Department or Police Department, vehicles of the Commonwealth Attorney’s office when on official business, and ambulances on an authorized emergency run.

BOULEVARD. Any legally designated street at which cross traffic is required to stop before entering or crossing such boulevard.

BUSINESS DISTRICT. Any portion of any street between two consecutive intersections in which 60% or more of the frontage on either side of the street is used for business purposes.

CROSSWALK. That portion of the roadway included within the extension of the sidewalk across any intersection, and such other portions of the roadway between two intersections, as may be legally designated as crossing places and marked by stanchions, paint lines, or otherwise.

CURB. The boundary of that portion of the street used for vehicles whether marked by curbstones or not.

INTERSECTION. That part of the public way embraced within the extensions of the street lines of two or more streets which join at an angle whether or not one such street crosses the other.

OFFICIAL TRAFFIC CONTROL DEVICES. All signs, signals, warnings, directions, markings, and devices placed or erected or maintained by authority of the Chief of Police.

ONE-WAY STREET. A street on which vehicles are permitted to move in one direction only.

OPERATOR. Every person who is in actual physical control of the guidance, starting, and stopping of a vehicle.

PARK. When applied to vehicles, to leave a vehicle standing, whether occupied or not, for a period of time longer than is necessary to receive or discharge passengers or property.

PEDESTRIAN. Any person afoot.

PLAY STREET. Any street or portion thereof so designated by the Chief of Police and reserved as a play area for children, from which all traffic is barred, except vehicles to and from abutting properties.

POLICE DEPARTMENT. The Police Department or other persons or agency authorized to perform the duties of § 70.003 or any other acts necessary to implement and enforce this traffic code.

PUBLIC WAY. The entire width between property lines of every way, dedicated passway, or street set aside for public travel, except bridle paths and foot paths. **REVERSE TURN.** To turn a vehicle on any street in such a manner as to proceed in the opposite direction.

RIGHT-OF-WAY. The privilege of the immediate and preferential use of the street.

ROADWAY. That portion of any street, improved, designated, or ordinarily used for vehicular travel.

SIDEWALK. That portion of the street between the curb and the property line intended for the use of pedestrians.

STOPPING. As applied to vehicles, to stop a vehicle longer than is actually necessary to receive or discharge passengers.

STREET. Every public way, including alleys.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, buses, and other conveyances, individually or collectively, while using any street for the purpose of travel.

VEHICLE. Every device in, on, or by which any person or property is or may be transported or drawn on any street except devices moved by human power or used exclusively on stationary rails or tracks.

§ 70.002 REQUIRED OBEDIENCE TO TRAFFIC DIRECTIONS.

(A) It shall be unlawful for any person to fail or refuse to comply with any lawful order, signal, or direction given by a uniformed police officer, or to fail or refuse to comply with any of the traffic regulations of this traffic code.

(B) The provisions of this traffic code shall apply to the driver of any vehicle owned or used in the service of the United States government, this state, county, or city, and it shall be unlawful for any such driver to violate any of the provisions of this traffic code, except as otherwise permitted in this traffic code or by state statute.

(C) Every person propelling any pushcart or riding a bicycle or an animal on any roadway, and every person driving any animal on any roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions of this traffic code which by their very nature can have no application.

Penalty, *see* § 70.099

§ 70.003 POWERS AND DUTIES OF POLICE DEPARTMENT.

It shall be the duty of the Police Department to direct all traffic in conformance with this traffic code and to enforce the traffic regulations as set forth in this traffic code, to make arrest for traffic violations, to investigate accidents, and to cooperate with other officers of the City in the administration of the traffic laws, and in developing ways and means to improve traffic conditions.

§ 70.004 AUTHORITY FOR ENFORCEMENT.

Authority to direct and enforce all traffic regulations of this city in accordance with the provisions of this traffic code and to make arrests for traffic violations is given to the Police Department, and, except in case of emergency, it shall be unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle, or any other signal.

Penalty, *see* § 70.099

§ 70.005 TEMPORARY REGULATIONS.

When required for the convenience and safety of the public and to alleviate unusual traffic problems, the Chief of Police or other authorized city official shall, at his discretion, have authority to impose such traffic regulations as he may deem necessary for temporary periods not to exceed two weeks. If these temporary regulations are necessary for a period longer than two weeks, the City Clerk/Treasurer shall be notified in writing of the extended order.

TRAFFIC-CONTROL DEVICES

§ 70.015 SIGNAL LEGENDS.

Whenever traffic is regulated or controlled exclusively by a traffic-control sign or signs exhibiting the words “Go,” “Caution,” or “Stop,” or exhibiting different colored lights for purposes of traffic control, the following colors only shall be used, and these terms and lights shall indicate and be obeyed as follows:

(A) *Green alone or “Go”*. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. However, vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.

(B) *Steady yellow alone or “Caution” when shown following the green or “Go” signal*. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection. Vehicular traffic facing a steady yellow signal may enter and clear the intersection.

(C) *Red alone or double red or “Stop”*. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line and shall remain standing until green or “Go” is shown alone.

(D) *Flashing red alone*. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line and shall not again proceed until it can do so without danger.

(E) *Flashing amber alone*. Vehicular traffic facing the signal shall reduce its speed and proceed cautiously across the intersection controlled by such signal.

(F) *“Yield Right-of-Way”*. Vehicular traffic facing the “Yield Right-of-Way” sign shall bear the primary responsibility of safely entering the primary intersecting or merging right-of-way. All traffic facing the

sign shall yield the right-of-way to all vehicles and pedestrians within such primary intersecting or merging right-of-way. No vehicle facing a “Yield Right-of-Way” sign shall enter the merging or intersecting right-of-way at a speed in excess of 15 miles per hour, except that this speed limit shall not apply to vehicles entering an expressway.

(G) *Lane lights.* When lane lights are installed over any street for the purpose of controlling the direction or flow of traffic, vehicular traffic shall move only in traffic lanes over which green arrows appear. However, when flashing amber lights appear above a lane, all left turns shall be made from that lane. Where red arrows appear above such lanes, vehicles shall not move against them. If flashing amber lights show above a lane, that lane shall be used only for passing and for left turns unless a sign at such place prohibits such turn.

Penalty, *see* § 70.099

Statutory reference:

Traffic-control signals, see KRS 189.338.

§ 70.016 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.

The City shall establish and maintain all official traffic-control devices necessary within the City. All traffic-control devices, including signs, shall be employed to indicate one particular warning or regulation, shall be uniform, and as far as possible shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications.

§ 70.017 OBEDIENCE TO SIGNALS.

(A) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this traffic code or of a traffic barrier or sign erected by any of the public departments or public utilities of the city, or any electric signal, gate, or watchman at railroad crossings, unless otherwise directed by a police officer. However, the type and the right to or necessity for such barrier or sign must be approved by the city.

(B) Such sign, signal, marking, or banner shall have the same authority as the personal direction of a police officer.

Penalty, *see* § 70.099

§ 70.018 INTERFERENCE WITH SIGNALS.

No person shall without authority attempt to or, in fact, alter, deface, injure, knock down, or remove any official control device or any railroad sign or signal, or any inscription, shield, or insignia thereon, or any part thereof.

Penalty *see* § 70.099

§ 70.019 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) It shall be unlawful for any person to place, maintain, or display on or in view of any street any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic device or railroad sign or signal which attempts or purports to direct the movement of

traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal any commercial advertising. Nothing in this section shall be construed as restricting any public department or public utility of the City in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the City.

(B) Every such prohibited sign, signal, or marking is declared to be a public nuisance and the City is empowered forthwith to remove it or cause it to be removed.

Penalty, *see* § 70.099

§ 70.020 DEVICE TO BE LEGIBLE AND IN PROPER POSITION.

No provision of this traffic code for which signs or any other traffic-control device is required shall be enforceable against an alleged violator if at the time and place of the alleged violation the required device was not in proper position and sufficiently legible to be seen by an ordinarily observant person.

§ 70.021 TEMPORARY DISREGARD OF DEVICES BY POLICE OFFICERS.

In an emergency any police officer may at his discretion disregard traffic control lights or signals or established regulations in order to facilitate the movement of traffic.

MOTOR VEHICLE PERMITS

§ 70.030 DEFINITION.

For the purpose of this subchapter, ***MOTOR VEHICLE*** shall mean automobiles, trucks, motorcycles, motor scooters and all other motor-powered vehicles which are used upon the streets and for which a permit is required by the Commonwealth of Kentucky. Motor-powered vehicles for which a permit is not required by the Commonwealth, such as farm and garden tractors, motor vehicles bearing valid Historic Vehicle permits issued by the Commonwealth, and motor vehicles held for the purpose of resale by city and state-licensed new and used car dealers, are specifically exempted.

(Ord. 4-13-81, passed 4-13-81)

§ 70.031 PERMIT REQUIRED.

(A) It shall be unlawful for any person, firm, corporation, or association residing within the City to own or operate or cause to be operated any motor vehicle upon or over the streets of the City without first having obtained the permit provided for herein.

(B) It shall be unlawful for any person, firm, corporation or association residing outside the corporate limits of the City to own, operate or cause to be operated any motor vehicle upon or over the streets of the City in connection with a business conducted or a regular profession followed within the corporate limits of the City, or as a means of conveyance to and from a position, job, labor or employment within the City, for which remuneration is received without first having obtained the permit herein provided.

(C) Every resident and/or non-resident person, firm, corporation or association subject to the provisions of this subchapter shall obtain a separate permit and pay a separate permit fee for each motor vehicle subject to the term of this subchapter.

(Ord. 4-13-81, passed 4-13-81)

§ 70.032 APPLICATION.

Each and every person, firm, corporation or association subject to the provisions of this subchapter shall obtain a permit by making application for same with the City Clerk/Treasurer and shall furnish the Clerk/Treasurer with a copy of the registration certificate for the motor vehicle the permit is being obtained for.

(Ord. 4-13-81, passed 4-13-81)

§ 70.033 PERMIT STICKERS.

The City Clerk/Treasurer shall provide registration stickers with numbers corresponding to the number of the permit issued.

(Ord. 4-13-81, passed 4-13-81)

§ 70.034 CLASSIFICATION AND FEE SCHEDULE.

For the purpose of raising revenues and for the purpose of registration and enabling the City to exercise supervisory regulation over motor vehicles subject hereto, the following classifications are established and the following permit fees are imposed upon all persons, firms, corporations and associations owning or regularly operating motor vehicles within the City:

<i>Classification</i>	<i>Annual Fee (if paid by January 1)</i>	<i>Annual Fee (if paid by February 1)</i>
Motor vehicles having four or more wheels	\$15.00	\$20.00
Motor vehicles having three or fewer wheels	\$ 7.50	\$10.00

(Ord. 4-13-81, passed 4-13-81)

§ 70.035 DUE DATE; PRORATION OF FEES.

(A) The due date for motor vehicle permits shall be February 1 of each year. After February 1, the permit fee shall be delinquent and a \$5 penalty shall be added to the amount of the annual fee due.

(B) In the case of a motor vehicle which becomes subject to the permit requirements for the first time after February 1, the permit fee shall be equal to as many twelfths of the annual fee as there are months, or parts thereof, remaining in the permit year.

§ 70.036 TIME LIMIT FOR PROCURING PERMIT.

Any person purchasing or acquiring a motor vehicle or commencing to use a motor vehicle within the limits of the City shall have seven days from that date to procure the permit without payment of any

penalty. Any new resident moving into the City shall have 30 days from moving in to procure the permit without payment of any penalty.

§ 70.037 REPLACEMENT OF VEHICLE PERMIT.

In the event a permit becomes lost or destroyed, the owner may, upon presentation of a receipt and sworn statement and payment of \$1, obtain another permit. The seller of the car may remove the vehicle sticker, present it to the City Clerk/Treasurer, and receive a new permit for a new vehicle.

§ 70.038 COLLECTION AND DISPOSITION OF FEES.

The permit fees herein provided for shall be collected by the City-Clerk/Treasurer and paid into the City Treasury, and become a part of the General Fund of the City.

(Ord. 4-13-81, passed 4-13-81)

LOADING AND UNLOADING LICENSES

§ 70.050 LICENSE REQUIRED; FEE SCHEDULE.

(A) Each person, firm, association or corporation maintaining or operating a truck or other motor vehicle for transporting goods, wares, or merchandise on a regular basis within the City shall pay an annual license fee on each truck or other motor vehicle owned and used by the person, firm, association, or corporation according to the following schedule:

<i>Type of Vehicle</i>	<i>Fee</i>
Automobile	\$15
Half-ton truck	25
Three-quarter ton truck	25
One ton truck	40
1½ ton truck	50
Over a 1½ ton truck	50

(B) Any motor vehicle which is maintained or operated within the City on at least seven days in any year for the purpose of transporting goods, wares, or merchandise shall be considered to be maintained or operated “on a regular basis” and shall be subject to the licensing requirement.

(Ord. 3-7-72, passed 3-7-72)

§ 70.051 TERM AND EXPIRATION OF LICENSE.

The license required by this subchapter shall be issued for a period of one year and shall expire and be subject to renewal on the anniversary date of its issue.

§ 70.052 EXEMPTION.

This subchapter shall not apply to motor trucks transporting and delivering in interstate commerce and regulated by federal agencies under the interstate commerce clause of the United States Constitution.

§ 70.053 DISPOSITION OF FUNDS.

The money collected under the provision of this subchapter shall be paid to the City Clerk/Treasurer and placed in the General Fund of the City.

(Ord. 3-7-72, passed 3-7-72)

§ 70.099 GENERAL PENALTY.

Any person who violates any provision of this traffic code where no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500.

CHAPTER 71: TRAFFIC RULES

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OPERATION GENERALLY

§ 71.001 OBSTRUCTING TRAFFIC.

(A) It shall be unlawful to operate any vehicle or permit it to remain standing in any street in such manner as to create an obstruction thereof.

(B) It shall be unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without

obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

(C) Any intersection deemed by the city to be of special or critical importance to the movement of traffic shall be marked in a distinctive manner in order to indicate its importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he shall be deemed to have violated this subsection rather than subsection (B) above.

Penalty, see § 71.099

§ 71.002 REVERSE OR U-TURNS.

The operator of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safely without interfering with other traffic.

(KRS 189.330(8)) Penalty, *see* § 71.099

§ 71.003 BACKING VEHICLES.

It shall be unlawful for the operator of any vehicle to back the vehicle at any intersection for the purpose of executing a turning movement. A vehicle from any parking position shall be backed by the operator in such manner as to proceed on the same side of the roadway in the lawful direction of travel.

Penalty, *see* § 71.099

§ 71.004 VEHICLES CROSSING SIDEWALKS.

(A) It shall be unlawful for the operator of any vehicle to drive within any sidewalk space except at a permanent or temporary driveway or by special permit from the Chief of Police or other authorized City official.

(B) It shall be unlawful for the operator of any vehicle to drive the vehicle out of any alley, driveway, building; or lot and across a sidewalk, or its extension across the alley, unless the vehicle has been brought to a complete stop immediately prior to crossing the sidewalk or its extension. On entering the roadway from the alley, driveway, or building, the operator shall yield the right-of-way to all vehicles approaching on the roadway. The operator of any vehicle intending to cross a sidewalk and turn into an alley from the roadway may do so at low speed and with caution.

Penalty, *see* § 71.099

Traffic Rules

ACCIDENTS

§ 71.015 DUTY OF OPERATOR.

It shall be the duty of the owner of, operator of, or passenger in any motor vehicle which is involved in an accident in which any person is injured or property damaged to stop immediately and ascertain the extent of the injury or damage and render such assistance as may be needed.

Penalty, *see* § 71.099

Statutory reference:

Duty in case accident, see KRS 189.580.

§ 71.016 ACCIDENT REPORT.

The operator, owner, or passenger involved in an accident resulting in the injury or death of any person, or an accident in which property is damaged, shall immediately report the accident or property damage to the Police Department.

Penalty, *see* § 71.099

PROHIBITIONS

§ 71.025 OPERATOR OF VEHICLE TO DRIVE CAREFULLY.

(A) The operator of any vehicle upon a highway shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the highway.

(B) No person shall willfully operate any vehicle on any highway in such a manner as to injure the highway.

(KRS 189.290) Penalty, *see* § 71.099

§ 71.026 RIGHT-OF-WAY OF EMERGENCY VEHICLES; FOLLOWING EMERGENCY VEHICLES; DRIVING OVER FIRE HOSE.

(A) Upon the approach of an emergency vehicle equipped with, and operating, one or more flashing, rotating, or oscillating red or blue lights visible under normal conditions from a distance of 500 feet to the front of such vehicle, or when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb or the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

(B) Upon the approach of any emergency vehicle operated in conformity with the provisions of subsection (A) above, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

(C) No operator of any vehicle, unless he is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of subsection (A) above closer than 500 feet, nor shall he drive into, park the vehicle into, or park the vehicle within the block where the vehicle has stopped in answer to an emergency call or alarm, unless he is directed otherwise by a police officer or firefighter.

(D) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire alarm unless the fire department official in command consents that the hose be driven over.

(KRS 189.930) Penalty, *see* § 71.099

§ 71.027 SMOKE EMISSION OR OTHER NUISANCE.

Every vehicle when on a highway shall be so equipped as to make a minimum of noise, smoke, or other nuisance, to protect the rights of other traffic, and to promote the public safety.

(KRS 189.020) Penalty, *see* § 71.099

PARADES

§ 71.040 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CRUISING. The repeated operation of two or more vehicles in a continuous or nearly continuous flow through a parking lot.

PARADE. Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city, or ***CRUISING*** as defined herein.

PARADE PERMIT. A permit required by this subchapter.

PARKING LOT. Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers, but shall not include those operated for hire as defined in KRS 189.700.

§ 71.041 PERMIT REQUIRED.

(A) No person or persons shall engage in, participate in, aid, form, or start any parade unless a parade permit has been obtained from the Chief of Police or other authorized City official.

(B) This subchapter shall not apply to:

- (1) Funeral processions;
- (2) Students going to and from school classes or participating in educational activities, providing the conduct is under the immediate direction and supervision of the proper school authorities;
- (3) A governmental agency acting within the scope of its functions.

Penalty, *see* § 71.099

§ 71.042 APPLICATION FOR PERMIT.

A person seeking issuance of a parade permit shall file an application with the Chief of Police or other authorized City official on forms provided by such officer.

(A) *Filing period.* The application for a parade permit shall be made not less than five days or not more than 60 days before the date on which it is proposed to conduct the parade.

(B) The application for a parade permit shall set forth the following information:

- (1) The name, address, and telephone number of the person seeking to conduct the parade;
- (2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;
- (3) The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;
- (4) The date when the parade is to be conducted;
- (5) The route to be traveled, the starting point, and the termination point;
- (6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;
- (7) The hours when the parade will start and terminate;
- (8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;
- (9) The location by street of any assembly area for the parade;
- (10) The time at which units of the parade will begin to assemble at any such assembly area or areas;
- (11) The interval of space to be maintained between units of the parade;
- (12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his behalf; and
- (13) Any additional information reasonably necessary to a fair determination as to whether a permit should issue.

(C) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by the City Council.

Penalty, *see* § 71.099

§ 71.043 STANDARDS FOR ISSUANCE OF PERMIT.

The Chief of Police or other authorized City official shall issue a permit when, from a consideration of the application and from other information obtained, he finds that:

(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the City;

(C) The conduct of the parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the City other than that to be occupied by the proposed line of march and areas contiguous thereto;

(D) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the parade will not interfere with the movement of firefighting equipment en route to a fire;

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;

(G) The parade is not to be held for the sole purpose of advertising any product, goods, or event, and is not designated to be held purely for private profit;

(H) The parade, if it takes the form of cruising, has the approval in writing of the owner or an authorized agent of the owner for the use of the parking lot which is the site of the parade.

Penalty, *see* § 71.099

§ 71.044 NOTICE OF REJECTION OF PERMIT.

The Chief of Police or other authorized City official shall act on the application for a parade permit within three days, Saturdays, Sundays, and holidays excepted, after filing thereof. If he disapproves the application, he shall mail to the applicant within the three days, Saturdays, Sundays, and holidays excepted, after the date on which the application was filed, a notice of his action stating the reasons for his denial of the permit.

§ 71.045 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within 30 days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.

§ 71.046 ALTERNATIVE PERMIT.

The Chief of Police or other authorized City official, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

§ 71.047 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the following persons:

(A) The Mayor;

(B) The City Attorney;

(C) The Fire Chief; and

(D) The general manager or responsible head of each public utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.

§ 71.048 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

(A) Starting time;

(B) Minimum speed;

(C) Maximum speed;

(D) Maximum interval of space to be maintained between the units of the parade;

(E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;

(F) The maximum length of the parade in miles or fractions thereof; and

(G) Such other information as is reasonably necessary to the enforcement of this subchapter.

Penalty, *see* § 71.099

§ 71.049 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances, the parade chairman or other person heading or leading the activity shall carry the parade permit on his person during the conduct of the parade.

Penalty, *see* § 71.099

§ 71.050 PUBLIC CONDUCT DURING PARADES.

(A) *Interference.* No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in a parade.

(B) *Driving through parades.* No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

Cross reference

Parking on parade routes, see § 72.007.

§ 71.051 REVOCATION OF PERMIT.

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

§ 71.099 PENALTY.

(A) Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500.

(B) Any person who violates § 71.026 shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$500, or be imprisoned in the county jail for not more than 30 days, or both.

(KRS 189.993(8))

CHAPTER 72: PARKING REGULATIONS

Section

Parking Generally

- 72.001 Obstructional parking; double parking
- 72.002 Manner of parking
- 72.003 Limitations of stopping and parking
- 72.004 Restrictions and prohibitions on designated streets
- 72.005 Parking restricted to allow street cleaning
- 72.006 Parking in excess of certain number of hours prohibited; towing authorized
- 72.007 Parking on parade route
- 72.008 Parking on off-street facility
- 72.009 Owner responsibility
- 72.010 Parking in parks
- 72.011 Display of parked vehicle for sale
- 72.012 Parking with handicapped permits

Impounding

- 72.020 Impoundment of vehicles authorized; redemption
- 72.021 Required notice to owner
- 72.022 Sale of vehicle

72.099 Penalty

Statutory reference:

Revenues from fees, fines, and forfeitures related to parking, see KRS 65.120.

PARKING GENERALLY

§ 72.001 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) It shall be unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any street, alley, or sidewalk within the City either during the day or night.

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.

Penalty, *see* § 72.099

§ 72.002 MANNER OF PARKING.

(A) It shall be unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be so parked, and except for commercial loading and unloading on one-way streets.

(B) No vehicle shall be parked or left standing on any street unless its two right wheels are within six inches of and parallel with the curb, except that on one-way streets where parking is permitted on the left side, the two left wheels are to be within six inches of and parallel with the curb.

(C) No vehicle shall be backed to the curb on any street, except that wagons and trucks may do so when loading and unloading, provided that such loading and unloading and delivery of property and material shall not consume more than 30 minutes. Such backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway, of moving vehicles, or occupies road space within ten feet of the center line of the street.

(D) The City may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within ten feet of the center line of any street. Such diagonal parking places shall be designated by suitable signs and shall indicate by markings on the pavement the required angle and the width of the roadway space within which such vehicle shall park.

(E) It shall be unlawful for the operator of any vehicle to so park such vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle.

Penalty, *see* § 72.099

§ 72.003 LIMITATIONS OF STOPPING AND PARKING.

(A) It shall be unlawful for the operator of any vehicle to stop or park such vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

(1) On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in § 72.002;

(2) On a sidewalk;

(3) In front of sidewalk ramps provided for handicapped persons;

(4) In front of a public or private driveway;

(5) Within an intersection or crosswalk;

(6) At any place where official signs prohibit stopping or parking. This does not apply to police officers when operating properly identified vehicles during the performance of their official duties; or

(7) Within 30 feet of any flashing beacon, traffic sign, or traffic-control device.

(B) No person shall move a vehicle not lawfully under his control into any such prohibited area.

(KRS 189.450(5), (6)) Penalty, *see* § 72.099

§ 72.004 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and 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 devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

(C) When signs are erected in compliance with the provisions of subsection (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

(D) When a curb has been painted in compliance with the provisions of subsection (F) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(E) When signs are erected in compliance with the provisions of subsection (F) below, in each block giving notice thereof, no person shall park a vehicle between the hours specified by official signs on any day except Sundays on any street so marked.

(F) (1) The city shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to handicapped parking, appropriate signs shall be erected giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith, the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times may be painted a solid yellow color.

(2) No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

(G) When signs are erected in compliance with subsection (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.

Penalty, *see* § 72.099

§ 72.005 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.

Penalty, *see* § 72.099

§ 72.006 PARKING IN EXCESS OF CERTAIN NUMBER OF HOURS PROHIBITED; TOWING AUTHORIZED.

It shall be unlawful for anyone to park in anyone place any vehicle on any of the public ways or streets of the city for a period of 24 hours or longer. Any vehicle left parked in anyone place on any of the public ways or streets of the city for a period of 24 hours or longer shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.

Penalty, *see* § 72.099

Cross-reference:

Removal of abandoned vehicles, see § 72.021 et seq.

§ 72.007 PARKING ON PARADE ROUTE.

(A) The Chief of Police or other authorized city official shall have the authority, whenever in his judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions.

Penalty, *see* § 72.099

Cross-reference:

Parades, see §§ 71.040 through 71.051.

§ 72.008 PARKING ON OFF-STREET FACILITY.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility without the consent of the owner, lessee, or person in charge of such property or facility.

(B) If at any time a vehicle is parked, abandoned, or otherwise trespassing in violation of subsection (A) of this section, the owner, lessee, or person in charge of the property or facility may have the unauthorized motor vehicle removed in accordance with the provisions of §§ 72.020 through 72.022.

(C) Every property owner or operator of an off-street parking facility shall post signs stating thereon that the property or parking lot or facility is privately owned and that unauthorized vehicles will be removed at the owners' expense before exercising the authority granted in subsection (B).

Penalty, *see* § 72.099

Statutory reference:

Removal of vehicles by owners of private parking lots; signs, see KRS 189.725.

§ 72.009 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provision of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held *prima facie* responsible for the violation.

Penalty, *see* § 72.099

§ 72.010 PARKING IN PARKS.

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the City not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as

prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway.

Penalty, *see* § 72.099

§ 72.011 DISPLAY OF PARKED VEHICLE FOR SALE.

It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street.

Penalty, *see* § 72.099

§ 72.012 PARKING WITH HANDICAPPED PERMITS.

(A) Any other provision to the contrary notwithstanding, a motor vehicle bearing a decal in its front windshield issued by the County Clerk pursuant to appropriate county ordinances for handicapped persons, when operated by a handicapped person or when transporting a handicapped person, may be parked in a designated handicapped parking place, or when parked in a metered parking space may be parked for two hours for no fee, or when parked where any parking limit is imposed may be parked for two hours in excess of the parking limit. The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the handicapped person to or from the parked vehicle, but in no circumstances longer than 30 minutes.

(B) This section shall not permit parking in a “no stopping” or “no parking” zone, nor where parking is prohibited for the purpose of creating a fire lane or to accommodate heavy traffic during morning, afternoon, or evening hours, nor permit a motor vehicle to be parked in such a manner as to constitute a traffic hazard.

Penalty, *see* § 72.099

IMPOUNDING

§ 72.020 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. Should a vehicle be moved without the consent and approval of the Police Department, a warrant shall be issued immediately for the violator’s arrest.

(C) All fines, fees, and charges must be paid in full before a release of impoundment can be issued for the vehicle’s release.

§ 72.021 REQUIRED NOTICE TO OWNER.

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason, or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other

authority, or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 and within ten business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number, and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

(B) If a vehicle described in subsection (A) is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in subsection (A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 within ten business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number, and identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten business days from the date of tow. This subsection (B) shall not apply to a tow lot or storage facility owned or operated by the City.

(KRS 376.275(1), (2))

§ 72.022 SALE OF VEHICLE.

Any person engaged in the business of storing or towing motor vehicles in either a private capacity or for the city who has substantially complied with the requirements of § 72.021 shall have a lien on the motor vehicle for the reasonable or agreed charges for storing or towing the vehicle as long as it remains in his possession. If after a period of 45 days the reasonable or agreed charges for storing or towing a motor vehicle have not been paid, the motor vehicle may be sold to pay the charges after the owner has been notified by certified mail ten days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting, and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting, and storage charges by the owner or responsible casualty insurer of the vehicle. This lien shall be subject to prior recorded liens.

(KRS 376.275(3))

§ 72.099 PENALTY.

Any person receiving a citation for any parking violation in the City shall be deemed to have committed a violation and shall be fined in an amount not less than \$20 nor more than \$100.

(KRS 189.990(1))

CHAPTER 73: BICYCLES AND MOTORCYCLES

Section

- 73.001 Operation of bicycles
- 73.002 Operation of motorcycles and motorscooters
- 73.003 Skating and coasting
- 73.004 Clinging to vehicles
- 73.005 Skates and Skateboards

- 73.099 Penalty

Cross-reference:

Required obedience to traffic directions, see § 70.002(C).

§ 73.001 OPERATION OF BICYCLES.

- (A) No person shall operate a bicycle on the sidewalks of the city.
- (B) No person shall operate a bicycle on any section of a public park, playground, play lot, or tot lot, except on a roadway or in a parking area.
- (C) No operator of any bicycle shall carry another person on such bicycle.

Penalty, *see* § 73.099

§ 73.002 OPERATION OF MOTORCYCLES AND MOTORSCOOTERS.

- (A) No person shall operate an unlicensed motorcycle or motorscooter on any City street or sidewalk.
- (B) No operator of any motorcycle, motorscooter, or power-driven bicycle shall carry another person except on a seat attached thereto or in a side car attached to the vehicle.
- (C) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any public park, except on a roadway or in a parking area.
- (D) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any play lot or tot lot.

Penalty, *see* § 73.099

§ 73.003 SKATING AND COASTING.

- (A) Except on streets which may be declared from time to time as “play streets” by the city and protected by barriers or official signs, it shall be unlawful for any person riding on a coaster sled or toy vehicle of any kind, to go on any roadway except at a crosswalk.

Penalty, *see* § 73.099

§ 73.004 CLINGING TO VEHICLES.

(A) No person while riding on a bicycle, coaster sled, roller skates, or any toy vehicle shall cling to any moving vehicle on any street, or fasten or attach the vehicle on which he is riding thereto.

(B) No person shall ride on the projection, running board, or fenders of any vehicle.

Penalty, *see* § 73.099

§73.005 SKATES AND SKATEBOARD.

It shall be unlawful and a violation of this ordinance for:

(A) Any person to ride, operate or use roller skates or a skateboard on any public streets, alleys or sidewalks within the City of Greensburg;

(B) Any person to ride, operate or use skates, a skateboard, bicycle, tricycle or any other type of motor driven conveyance on, over or across the “foot bridge” between Depot Street and the Public Square, subject, however, to the exception that bicycles and tricycles may be pushed across said “foot bridge”;

(C) Any person to ride, operate or use any type of motor-driven conveyance on any public sidewalk within the City of Greensburg.

Penalty: Any person who violates this Section 73.005 shall be guilty of a violation and upon conviction thereof shall be fined not less than \$25 nor more than \$100.

(Ord. passed 2-6-89)

§ 73.099 PENALTY.

Whoever violates any provision of this chapter shall be deemed to have committed a violation and shall be fined not more than \$50 for each offense.

CHAPTER 74: GOLF CARTS

Section

- 74.001 Definitions
- 74.002 Inspection Required
- 74.003 Permit Required
- 74.004 Permit Displayed
- 74.005 Term of Permit
- 74.006 Slow-Moving Vehicle Emblem
- 74.007 Operation
- 74.008 Insurance
- 74.009 Application of Traffic Laws
- 74.010 Exemptions

§ 74.001 DEFINITIONS.

GOLF CART. A self-propelled vehicle that is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course. The golf cart shall be equipped with a minimum of four (4) wheels and designed to operate at a speed of not more than thirty-five (35) miles per hour and carry not more than six (6) persons. The vehicle must have a maximum gross vehicle weight of two thousand five hundred (2,500) pounds and maximum rated payload capacity of one thousand two hundred (1,200) pounds. Said vehicle must meet the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. 571.500.

For purposes of this ordinance, the golf cart shall be equipped with the following: front and rear turn lights, head lights and tail lights, rear view mirror and windshield. The golf cart shall have a four (4) foot minimum flag or antenna marker on the rear of the vehicle.

DESIGNATED ROADWAY. Roadway within the City of Greensburg with a posted limit of thirty-five (35) miles per hour or less. The operator of the golf cart may not cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour.

§ 74.002 INSPECTION REQUIRED.

All golf carts requesting a permit shall be inspected by a certified inspector designated by the county sheriff and certified through the Department of Vehicle Regulation. Inspection fee shall not exceed five dollars (\$5) with an additional fee not to exceed ten dollars (\$10) per trip charged if the inspector must travel to the location of the golf cart.

§ 74.003 PERMIT REQUIRED.

No person shall operate a motorized golf cart on designated roadways within the City unless granted a permit under this Ordinance. Registration does not exempt compliance with all applicable local, state or federal laws.

Every application for permit shall be issued by the City of Greensburg. The application shall include:

- (A) Evidence of insurance complying with the provisions of KRS 304.39-080.

(B) Evidence of valid driver's license.

Cost of the permit shall be set by the Greensburg City Council and reviewed annually. The Greensburg City Council shall also set an annual **licensing fee** for each golf cart permit.

§ 74.004 PERMIT DISPLAYED.

The permit issued shall be clearly displayed so that it may be viewed from the rear of the golf cart.

§ 74.005 TERM OF PERMIT.

A permit issued under this ordinance shall be effective beginning with the date of issuance. Permits may only be granted for a period of one year and must be annually renewed.

A permit may be revoked by any law enforcement agency at any time if there is evidence that the licensee cannot safely operate the motorized golf cart on designated roadways.

§ 74.006 SLOW-MOVING VEHICLE EMBLEM.

The golf cart shall display the slow-moving emblem as described in KRS 189.820 when operating on designated roadways.

§ 74.007 OPERATION.

(A) The golf cart may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions or at any time when where is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet;

(B) During operation on a designated roadway, operator and passengers shall not exceed normal passenger capacity for the golf cart;

(C) Operator of the golf cart shall be prohibited from crossing a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour;

(D) Operator shall have a valid operator's license in his or her possession.

§ 74.008 INSURANCE.

Any golf cart operating on a designated roadway shall be insured in compliance with KRS 304.39-080 by the owner or operator, and said proof shall be kept with the golf cart.

§ 74.009 APPLICATION OF TRAFFIC LAWS.

Persons operating a golf cart shall have the same rights and duties applicable to drivers of any other motor vehicle under the provisions of KRS Chapter 189 and 189A.

§ 74.010 EXEMPTIONS

A golf cart operating on a designated roadway shall be exempt from:

(A) Title requirements of KRS 186.020.

(B) Vehicle registration requirements of KRS 186.050.

(C) Emissions compliance certificates pursuant to KRS 224.20-720.

(Ord. passed 8-25-08)

CHAPTER 75: STREET AND ROAD MANAGEMENT AND MAINTENANCE CONTROL

Section

75.001 Street and Road Management and Maintenance Control

§75.001 STREET AND ROAD MANAGEMENT AND MAINTENANCE CONTROL

- (A) The speed limit for Woodson and Valley Drive shall be 25 miles per hour.
- (B) All portions of other ordinances conflicting with this ordinance are hereby repealed.
- (C) This ordinance shall be in full force and effect upon its passage, approval and publication in accordance with applicable law. Any person, persons, firm or corporation violating any provision of this article shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars (\$500).

[Ord passed 11-19-07]

CHAPTER 76: TRUCKS, TRAILERS, SEMITRAILERS, AND AGRICULTURE EQUIPMENT

Section

- 76.01 Definitions
- 76.02 More than two trailers in one unit prohibited
- 76.03 Operations on public highways – generally
- 76.04 Maximum height
- 76.05 Maximum width
- 76.06 Maximum length
- 76.07 Equipment to conform to state law
- 76.08 Authority of police to stop vehicle to determine compliance
- 76.09 Penalty
- 76.10 Temporary special permit

§ 76.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Agriculture Equipment. Any machinery, utensils or implements used solely for agriculture, farming or manufacture purposes.

Motor truck. Any motor-propelled vehicle designed for carrying freight or merchandise or designed and used primarily for pulling semi-trailers or trailers, such as truck-tractor. It shall not include self-propelled vehicles designed primarily for passenger transportation, but equipped with frames, racks or bodies having a load capacity of not exceeding 1,000 pounds.

Semitrailer. A vehicle designed to be attached to, and having its front end supported by, a motor truck or truck-tractor, intended for the carrying of freight or merchandise and having a load capacity of over 1,000 pounds.

Trailer. Any vehicle designed to be drawn by a motor truck or truck-tractor, but supported wholly upon its wheels, intended for the carrying of freight or merchandise and having a load capacity of over 1,000 pounds.

§ 76.02 MORE THAN TWO TRAILERS IN ONE UNIT PROHIBITED

No person shall operate on any streets or public way of the city more than two trailers in any one unit.

§ 76.03 OPERATION ON PUBLIC WAYS – GENERALLY

(A) Except as expressly permitted hereunder, no person shall park or operate a motor truck in conjunction with a semi-trailer or trailer on any street or public way in the city other than a designated truck route except for the following authorized purposes:

- (1) The provision of a necessary governmental or public utility service.
- (2) Pickups, deliveries, service calls which purposes shall be subject to the following

conditions:

a. The operator of the vehicle shall only utilize streets outside the designated truck route, which are necessary for the pickup, delivery, or service call.

b. The operator of the vehicle shall effectuate the pickup, delivery, or service call in an expeditious manner and shall return to the designated truck route immediately upon completion of same.

c. Motor trucks listed in KRS 189.221 or 189.222 may be operated only on streets within the city limited designated as a state or federal highway, or as a truck route.

(B) Except as expressly permitted in this section, no person shall park a motor truck, semi-trailer, or trailer on a designated truck route or, on public or private property located off a designated truck route, which is within a distance of 50 feet of an occupied residential dwelling.

§ 76.04 MAXIMUM HEIGHT

No person shall operate on any street or public way of the city any motor truck, semitrailer or trailer or any agriculture equipment the height of which, including any part of the body or load, shall exceed 11.5 feet, but nothing herein contained shall be construed to require the public authorities of the city to provide sufficient vertical clearance to permit the operation of vehicles with a height of 11.5 feet, or any height.

§ 76.05 MAXIMUM WIDTH

No person shall operate on any street or public way of the city any motor truck or semitrailer or any agriculture equipment the width of which, including any part of the body or load, shall exceed 96 inches.

§ 76.06 MAXIMUM LENGTH

No person shall operate on any street or public way of the city any motor truck or agriculture equipment the length of which, including any part of the body or load, shall exceed 26.5 feet, nor any semitrailer, trailer or vehicle, or combination of vehicles, the length of which, including any part of the body or load, shall exceed 30 feet.

§ 76.07 EQUIPMENT TO CONFORM TO STATE LAW

No person shall operate any motor truck, semitrailer, trailer and agriculture equipment on any street or public way of the city unless the same is equipped so as to conform to the laws of the Commonwealth of Kentucky.

§ 76.08 AUTHORITY OF POLICE TO STOP VEHICLE TO DETERMINE COMPLIANCE

Police officers shall have the authority to perform the following acts:

(A) Any police officer of the city shall have the right to stop the operator of any motor truck, semi-trailer, trailer or agriculture equipment in order to make measurements as to the length, width, height or weight of the equipment and load and may require the driver thereof to proceed to a scale to ascertain whether or not the equipment exceeds the maximum limitations prescribed in this article. The fee for the use of the scale shall be paid by the operator of the equipment.

(B) Any police officer of the city shall also have the right to stop the operator of any motor truck in order to make a determination as to the operator's compliance with the provisions under § 76.03.

(C) In the event a police officer determines that the operator of any motor truck or agriculture equipment is in violation of any of the provisions of this article, such officer shall have the right to issue a citation to the operator of each violation. In the event the police officer has identified a motor truck or agriculture equipment as being in violation of any of the provision of this article but cannot ascertain the owner of the vehicle or equipment, the police officer shall have the authority to issue a citation to the registered owner of the vehicle for each violation.

§ 76.09 PENALTY

Any person who violates any provision of this article shall be guilty of a misdemeanor and upon conviction thereof, unless otherwise specifically provided, shall be fined not less than \$25.00 nor more than \$500.00. Each day such person violates any provision of this article shall be considered a separate offense.

§ 76.10 TEMPORARY SPECIAL PERMIT

(A) The City of Greensburg Code Enforcement Officer may, in his discretion, upon application in writing and good cause being shown therefor, issue a temporary special permit, in writing, authorizing the applicant to operate or move vehicle, or combination of vehicles, of a size, weight, length, width or height exceeding the maximums provided for this article. The application for the special permit shall state the proposed maximum wheel loads, maximum axle loads, and minimum axle spacing of the vehicles or combinations thereof, and the height, width, and length of the vehicles with their load, and specific streets or public ways over which the permit for the operation is requested and the time if such operation. The application shall also state whether the permit is requested for a single trip or for continued operation. The City of Greensburg Code Enforcement Officer is authorized, in his discretion, to issue or refuse to issue the permit.

(B) When a temporary special permit authorized by section (a) above is issued, the City of Greensburg Code Enforcement Officer may, in his discretion, limit the number of trips to be made thereunder, establish seasonal or other time limitations, and designate routes over which the vehicles described in the permit may operate on the streets or public ways of the city, and he may otherwise limit the prescribed conditions of operation of the vehicles when necessary to assure against undue damage to the street foundation by the vehicle, if, in his opinion, the operation may damage the streets or public ways, and may require the applicant to give bond, with sufficient surety to be approved by him, to indemnify the city against any damage which might occur to persons or property by reason of the operation under the special permit.

(C) The fee charged for each temporary special permit authorized by this section shall be in the amount established by the city by ordinance from time to time.

(D) A temporary special permit issued pursuant to this section shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer, and any operation or use of vehicles under the permit shall be in strict conformity with the terms thereof.

(E) The issuance of a license or a temporary special permit under this article shall not be construed to exempt the holder thereof from the obligations of compliance with any and all other applicable provisions of the Code of Ordinances or other ordinances of the city.

[Ord. 2014-_____, passed 11-19-07]