

CHAPTER 15

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Article I. In General.

15-101. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Alley. The entire width between the property lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for vehicular traffic, when the entire width between property lines of such way or place does not exceed twenty feet.

Alley entrance. The extension of the alley from the lot line to the street curb line.

Arterial street. A street designated as such by resolution duly adopted by the City Council.

Authorized emergency vehicle. Vehicles of the Fire Department and of the Police Department of the City, and ambulances.

Automatic traffic signals. Any signal electrically or mechanically controlled, by which traffic is alternately directed to stop and proceed.

Business district. The territory contiguous to and including a highway when within any six hundred feet along such highway there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, office buildings, railroad stations, or public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of a highway.

Crosswalk. That portion of a roadway included within the prolongation or connection of the lateral lines of sidewalks at intersections.

Curb. The lateral boundaries of that portion of a street designated for the use of vehicles whether marked by curb stones or not so marked.

Driver. Every person who drives or is in actual physical control of a vehicle.

Highway. The entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

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Intersection or street intersection. The space occupied by two streets at the point where they cross each other, bounded by the lot lines extended and shall include the sidewalk space as well as the roadway.

Motorcycles. Every vehicle designed to travel on not more than three wheels in contact with the ground.

Motor vehicle. Every vehicle which is self-propelled.

Official traffic signs. All signs, markings and devices, other than signals, not inconsistent with this Chapter, placed or erected by authority of the City Council, or a public body having jurisdiction for the purpose of building, directing, warning or regulating traffic.

Owner. As defined by Section 39-602(61), Revised Statutes of Nebraska, 1943 or any successor statute thereto.

Park or Parking. To stand a vehicle, whether occupied or not, upon a street or alley, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations, signs or signals.

Private driveway. Every road or driveway not open to the use of the public for purposes of vehicular travel, including driveways into gasoline filling stations and public garages.

Railroad crossing. That part of any street at which the tracks of a railroad shall cross the street and to include that part of the street within twenty-five feet of the outside of such track.

Residential district. That portion of the City not included within a Business District, as defined above, or a school zone as described in Section 15-330 hereof.

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

Sidewalk or sidewalk space. That portion of a street between the curb lines and the adjacent property lines.

Stop. To cause complete cessation of movement of a vehicle which is occupied by at least one person.

Stop signs. Any object placed in any street at or near a street intersection with the word "stop" written or inscribed thereon.

Street or highway. The entire width between property lines of every way or place of whatever nature, when any part thereof is open to use of the public as a matter of right for purposes of vehicular traffic.

Traffic. Pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street, alley or public way for purposes of travel.

Truck. A motor vehicle equipped or used to transport anything other than persons.

Vehicle. Every device in, upon or by which any person or property is, or may be transported or drawn upon a street, and shall be deemed to include wagons, trucks, carts, cabs, carriages, horses, whether led, driven or ridden, stages, omnibuses, motors, automobiles, locomobiles, motorcycles, bicycles, tricycles, sleighs, steam or gasoline tractors, motor buses, motor scooters and all other conveyances for persons or property, except railway trains running upon their own rails or tracks.

Watchman. Any person stationed upon a railway crossing for the purpose of directing traffic, whether employed by the city or by the railway company as a crossing watchman. (Code 1973, 21-1)

15-102. Enforcement of chapter; authority of police and street commissioner.

The Police Department and the Street Commissioner, in the manner directed in this Chapter are hereby authorized, empowered and ordered to exercise all powers and duties with relation to the management of street traffic and to direct, control, stop, restrict and regulate, and when necessary, temporarily divert or exclude, in the interest of public safety, health and convenience, the movement of pedestrian, animal and vehicular traffic of every kind, in streets, parks, and on bridges in this City; provided, that the driver of any vehicle shall stop upon signal from any police officer of the City.
(Code 1973, 21-2)

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15-103. Direction of traffic by police officers.

All police officers of this City are hereby authorized and empowered to direct all traffic within the City in accordance with the provisions of this Chapter, or, in emergencies or in the event of traffic blockades, as public safety or convenience may require, even though not in accordance with the provisions of this Chapter, and it shall be unlawful for any person to fail or refuse to comply with any lawful order or direction of any such police officer. (Code 1973, 21-4)

15-104. Obedience to police officers.

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.
(Code 1973, 21-5)

15-105. Temporary emergency regulations.

The Chief of Police is hereby empowered to make and enforce temporary regulations to cover emergencies.
(Code 1973, 21-6)

15-106. Destroying, disregarding, etc., traffic summons prohibited.

It shall be unlawful for any person to tear up or destroy any parking tag placed upon any vehicle by any police officer of this City, or to disregard the summons contained on such tag and fail to appear in court as directed by such tag.
(Code 1973, 21-7)

15-107. Garage keepers -- Report of damaged vehicles.

The person in charge of any garage or repair shop in this City to which is brought any vehicle which shows evidence of having been struck by a bullet, shall report to the Police Department of this City, as soon as such vehicle is received, giving the engine number, manufacturer's serial number, registration plate number and the name and address of the owner or operator of such vehicle. (Code 1973, 21-8)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-6,104.05.

15-108. Same -- Report of abandoned vehicles.

The person in charge of any garage or repair shop at which has been left a motor vehicle of unknown ownership for a period of fifteen consecutive days without being removed by its owner or any other person duly authorized to remove the same, shall report to the Police Department of this City, giving the name, engine number, manufacturer's serial number, registration plate number and the name and address of the person abandoning same, if known.
(Code 1973, 21-9)

15-109. Accidents -- Duty of driver.

(1) The driver of any vehicle involved in an accident upon a public highway, private road or private drive, resulting in injury or death to any person shall:

(a) Immediately stop such vehicle at the scene of such accident.

(b) Give his name, address and the registration number of his vehicle, and exhibit his operator's license to the person struck, or the driver or occupants of any vehicle collided with.

(c) Render to any person injured in such accident reasonable assistance, including the summoning of medical assistance, if it is apparent that such treatment is necessary or is requested by the injured person.

(2) The driver of any vehicle involved in an accident, whether upon the public highway, private road or private drive, resulting in damage to property shall:

(a) Immediately stop such vehicle at the scene of such accident.

(b) Give his name, address and the registration number of his vehicle and exhibit his operator's

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license to the owner of the property struck, or the driver or occupant of any other vehicle involved in the collision.

(3) Every person convicted of violating the provisions of this Section relative to the duty to stop in the event of certain accidents shall be punished as provided by this Code and, in addition thereto, the court may in its discretion revoke the operator's license of the person so convicted for a period of not to exceed one year.

(Code 1973, 21-10; Ord. No. 1882)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Sections 39-762 and 39-6,104.01.

15-110. Accident -- Report required by drivers.

The operator of every motor vehicle which is in any manner involved in an accident within the City in which any person is killed or injured or in which damage to an apparent extent in excess of five hundred (\$500.00) dollars is sustained to the property of any one (1) person, including such operator, shall notify the Police Department of the City of such accident immediately.

(Code 1973, 21-11; Ord. No. 2629)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Sections 39-6,104.04 and 60-505.

15-111. Repealed. (Ord. 3660-11/98)

15-112. Size limitations on vehicles and loads.

(1) No vehicle shall exceed a total outside width, including any load thereon, of eight feet. No vehicle unladen or with load shall exceed a height of thirteen feet six inches. No vehicle or combination of vehicles shall exceed a length of forty feet extreme over-all dimensions inclusive of front and rear bumpers, including load.

(Code 1973, 21-13)

(2) For any vehicle traveling upon highways which are a part of the U.S. Highway system, the provisions of (1) above shall not apply, but all of said vehicles shall conform to the size limitation from time to time in effect pursuant to the statutes of the State of Nebraska.

Reference: For state law as to size of vehicles, see Neb. Rev. Stat. 1943, Sections 39-6,177 to 39-6,179.

15-113. Warning devices on projecting loads.

When any vehicle shall be loaded in such a manner that any portion of the load extends more than four feet beyond the rear of the bed or the body of such vehicle, a red flag shall be carried by day and a red light after sunset, securely fastened in a conspicuous position at the extreme rear of such load.

(Code 1973, 21-14)

Reference: For similar state law, see Neb. Rev. Stat. 1943, 39-6,130.

15-114. Spilling contents of load.

All vehicles used for carrying coal, earth, cinders, sand, gravel, rock, asphalt, tar or any similar substance, shall be so constructed as to prevent the sifting or spilling of any of the contents.

(Code 1973, 21-15)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-6,137.

15-115. Placing glass, nails, etc., on streets prohibited; removal of glass from accidents.

No person shall throw, cast, lay or place upon any street within this City any thorns, nails, tacks, glass, bottles, window glass or other articles made of, or containing glass, and in case of an accident causing the breaking of any glass upon any such street, the owner or person in charge of such glass, or the person responsible for such breakage, shall at once remove or cause the same to be removed from the street.

(Code 1973, 21-16)

15-116. Leaving horses, draft animals, etc., unattended upon streets.

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No person shall leave any horse, team of horses, draft animal or other beast of burden unattended in any street or alley without securely fastening the same.

(Code 1973, 21-17)

15-117. Jay walking prohibited.

No pedestrian shall cross any street at a place other than a crosswalk, nor cross any street intersection diagonally.

(Code 1973, 21-18)

15-118. Person riding in front of operator of motorcycle.

No person operating a motorcycle shall carry another person in front of the operator.

(Code 1973, 21-19)

15-119. Vehicle registration and operator's license required.

No person shall operate any motor vehicle upon any street or public highway without having first registered the same and without first having obtained a motor vehicle operator's license as provided by the laws of the State, and such vehicle shall have the registration number plates and operator's license furnished by the State or County, displayed upon the vehicle in the manner and place provided by the laws of the State. It shall be unlawful for any person to operate a motor vehicle upon any street or alley in this City during the period that his operator's license has been revoked or cancelled.

(Code 1973, 21-20)

Reference: For state law as to vehicle registration, see Neb. Rev. Stat. 1943, Sections 60-301 to 60-346. As to operator's license, see Neb. Rev. Stat. 1943, Sections 60-401 to 60-420.

15-120. Registration and lights for trailers.

When any trailer shall be attached to any motor vehicle in use upon the streets, such trailer shall carry a duplicate registration number and rear lights as required on any other motor vehicle. (Code 1973, 21-22)

15-121. Unattended vehicles; coasting prohibited.

No person having control or charge of a motor vehicle shall allow such vehicle to stand unattended without first effectively setting the brakes thereon and stopping the motor of the vehicle and when standing upon any grade without turning the front wheels of such vehicle to the curb or side of the street.

The driver of a motor vehicle when traveling upon a down grade upon any street shall not coast with the gears of such vehicle in neutral.

(Code 1973, 21-23)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Sections 39-759 and 39-680.

15-122. Overcrowding front seat; impeding driver.

Front seat occupancy of any motor vehicle while the same is in the process of being started or in motion within the City shall be limited to one driver and in addition no more than two persons over the age of twelve years. It shall be unlawful for any person to operate a motor vehicle upon any street of this City when such person has in his lap or in his embrace, another person, package or other encumbrance which prevents the free and unhampered operation of such vehicle.

(Code 1973, 21-24)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-759 and 39-677.

15-123. Riding on outside of vehicle prohibited.

No person shall permit any person to ride on the running board, hood, top or fenders of any motor vehicle, nor shall any person ride on the running board, hood, top or fenders of any motor vehicle.

(Code 1973, 21-25)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-689.

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15-124. Clinging to motor vehicles.

No person shall, within the City, attach himself directly or indirectly to any moving vehicle upon any roadway.

It shall be unlawful for the driver of any vehicle to suffer or permit any person traveling upon any bicycle or roller skates to cling to, or attach himself or his bicycle, or roller skates, to such vehicle so driven and operated by him.

(Code 1973, 21-26)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-689.

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Reference: For state law authorizing City to regulate traffic by signal devices, see Neb. Rev. Stat. 1943, Section 39-611.

15-201. Regulation of traffic or parking.

The regulation of traffic or parking as authorized and set forth in this Chapter, may be exercised by the Mayor and City Council by ordinance, resolution or motion.

(Code 1973, 21-27; Ord. Nos. 1751, 2673, and 2807)

15-202. Placing traffic control devices.

The City Council may provide for the placing of traffic control devices for the purpose of regulating, directing, prohibiting, warning or guiding traffic and the parking of vehicles upon the streets, alleys and public ways of the City. The placing of such traffic control devices shall be considered as establishing precepts extending the provisions of this Chapter. Violation of such traffic control devices shall be punishable as provided in this Chapter. For the purposes of this Chapter, traffic control device shall mean any sign, signal, marking, or other device placed or erected by authority of the City Council for the purpose of regulating, directing, prohibiting, warning or guiding traffic and the parking of vehicles upon the streets, alleys and public ways of the City.

(Code 1973, 21-27.1; Ord. No. 2807)

15-203. One-way streets.

The City Council may designate any street or alley as a one-way street or alley and upon the erection of signs giving notice thereof, vehicular traffic shall move only in the indicated direction, and movement of traffic in the opposite direction is hereby prohibited.

(Code 1973, 21-27.2; Ord. No. 2807)

15-204. Traffic lanes.

(1) The Mayor and City Council may authorize and direct the marking of traffic lanes upon the roadway of any street or highway where the regular alignment of traffic is necessary.

(2) Where such traffic lanes have been marked it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of such lane.

(Code 1973, 21-28; Ord. No. 1751)

15-205. Obedience to stop, yield and slow signs.

(1) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on such highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

(2) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop

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line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way.

(3) Any person operating a motor vehicle shall, upon approaching any slow sign or other signal, standard or device containing directions for vehicular traffic, erected in accordance with this Article, immediately obey the command of such sign, signal, standard or other device.
(Code 1973, 21-29 and 21-30)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-637.

15-206. Obedience to railroad crossing signals.

Whenever any person driving a vehicle approaches a highway and railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing.
(Code 1973, 21-31)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-655.

15-207. Designation of crosswalks.

The City Council may establish, designate and maintain or cause to be maintained, by appropriate devices, markers or lines upon the surface of the street, crosswalks at intersections where there is particular danger to pedestrians crossing the street and at such other places as it may deem necessary.
(Code 1973, 21-32)

15-208. Defacing or interfering with prohibited.

It shall be unlawful for any person wilfully to deface, injure, remove, obstruct or interfere with an official traffic sign or signal.
(Code 1973, 21-33)

15-209. Display of unauthorized signs and signals prohibited.

It shall be unlawful for any person to maintain or display upon or in view of any street, any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official sign or signal. Every such prohibited sign, signal or device is hereby declared to be a public nuisance, and any police officer is hereby empowered to remove the same, or cause it to be removed, without notice.
(Code 1973, 21-34)

Reference: For state laws as to imitation official signs, see Neb. Rev. Stat. 1943, Section 39-618.

15-210. Painting of curbs.

It shall be the duty of the City Engineer, as Street Commissioner, to cause the curb space to be painted and keep the same painted, as provided in this Article. No person shall paint the curb of any street, or in any manner set aside or attempt to prevent the parking of vehicles in any street or part thereof except at such places where the parking of vehicles is prohibited by the provisions of this Chapter. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the City through its proper officers, at the direction of the Mayor and City Council.
(Code 1973, 21-35)

15-211. Obedience to traffic-control devices.

It shall be unlawful for any person to disobey the instruction of any traffic-control device placed in accordance with the provisions of this Article, unless otherwise directed by a police officer, subject to any

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exceptions granted the driver of an authorized emergency vehicle.
(Code 1973, 21-36.1; Ord. No. 2474)

15-212. Traffic-control signal legend.

Whenever traffic is controlled by an automatic traffic signal or other traffic control device exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for such special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

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

GREEN ARROW: Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time, and such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

YELLOW: 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, and upon display of a steady yellow signal vehicular traffic shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety a vehicle may be driven cautiously through the intersection. Pedestrians facing a steady yellow signal are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

RED: Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, but if here is no such line then before entering the crosswalk on the near side of the intersection, or if there is no crosswalk then before entering the intersection and shall remain standing until an indication to proceed is shown; except where a traffic-control device is in place prohibiting a turn, vehicular traffic facing a steady red signal may cautiously enter the intersection to make a right turn after stopping or, if the signal is at the intersection of two one-way streets, vehicular traffic may cautiously enter the intersection to make a left turn after stopping. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.(Code 1973, 21-36.2; Ord. No. 2474)

15-213. Pedestrian control signals.

Whenever pedestrian-control signals exhibiting the words WALK or DON'T WALK are in place, such signals shall indicate as follows:

(1) Pedestrians facing a WALK signal may proceed across the roadway in the direction of such signal and shall be given the right-of-way by the drivers of all vehicles; and

(2) No pedestrian shall start to cross the roadway in the direction of a DON'T WALK signal, but any pedestrian who has partially completed his crossing on the WALK signal shall immediately proceed to a sidewalk or safety island while the DON'T WALK signal is showing.
(Code 1973, 21-36.3; Ord. No. 2474)

15-214. Flashing signals; exception.

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

(1) When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if there is no such line then before entering the crosswalk on the near side of the intersection, or if there is no crosswalk then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and right to proceed shall be subject to the rules applicable after making a stop at a stop sign;

(2) When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution; and

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(3) At railroad grade crossings the driver of vehicles shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and shall proceed only upon exercising due care.
(Code 1973, 21-36.4; Ord. No. 2474)

Article III. Operation of Vehicle.

Division 1. Generally.

15-301. Limitation on backing movements.

The driver of a vehicle shall not back the same unless such movement can be made in safety.
(Code 1973, 21-37)

15-302. Driving in sidewalk space.

The driver of any vehicle shall not drive within any sidewalk space, except as a permanent or temporary driveway. Provided that this section shall not apply to the operation of any motorized chair, wheelchair, or other conveyance designed for the transportation of handicapped and/or disabled persons when used by such persons.
(Code 1973, 21-38; Ord. No. 3121-4/89)

15-303. Driving over fire hose.

No vehicle shall be driven over any unprotected hose of a fire department when laid on any street or private roadway, to be used at any fire or alarm of fire.
(Code 1973, 21-39)

15-304. Excessive, unusual and unnecessary noise prohibited.

It shall be unlawful to operate a motor vehicle within this City so as to create any excessive or unusual noise, or in a manner so as to make any noise which is unnecessary in the normal operation of the vehicle.
(Code 1973, 21-40; Ord. Nos. 1751 and 1887)

15-304.01. Engine braking; prohibited.

It shall be unlawful within the city limits for any operator of a motor vehicle with a total gross vehicle weight rating of seven thousand pounds or more, including its towed unit or units, to attempt to retard the forward movement of said vehicle by initiating a device commonly known as jake brakes to contain the engine's compression, thus rapidly slowing the engine's revolutions per minute.
(Ord. No. 3699-7/99)

15-305. Reckless driving.

(1) Any person who drives any motor vehicle in such a manner as to indicate an indifferent or wanton disregard for the safety of persons or property shall be deemed to be guilty of reckless driving.

(2) Any person who drives any motor vehicle in such manner as to indicate a willful disregard for the safety of persons or property is guilty of willful reckless driving. Every person convicted thereof shall be punished as provided in this Code, and shall be ordered by the court as a part of the judgment of conviction, not to drive any motor vehicle for any purpose for a period of not less than thirty days nor more than one year from the date of his final discharge from the county jail or the date of payment or satisfaction of such fine, whichever is the later and shall have his or her operator's license revoked for a like period.

(3) It shall be unlawful for any person to drive, use, operate, park, cause to be parked or stop any vehicle:
(a) In a careless manner; or (b) without due caution so as to endanger a person or property.
(Code 1973, 21-41; Ord. No. 1751)

Reference: For state law as to reckless driving, see Neb. Rev. Stat. 1943, Section 39-669.01. As to willful reckless driving, see Neb. Rev. Stat. 1943, Section 39-669.03.

15-306. Driving under influence of alcohol, drugs, etc.

It shall be unlawful for any person to operate or be in the actual physical control of any motor vehicle while under the influence of alcoholic liquor or of any drug or when that person has ten hundredths of one percent

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or more by weight of alcohol in his body fluid as shown by chemical analysis of his blood, breath or urine. Any person who shall operate or be in the actual physical control of any motor vehicle while under the influence of alcoholic liquor or of any drug or while having ten hundredths of one percent by weight of alcohol in his body fluid as shown by chemical analysis of his blood, breath or urine shall be deemed guilty of a crime and, upon conviction thereof, shall be punished as follows:

(1) If such person (a) has not had a previous conviction under applicable state law since July 17, 1982, (b) was not convicted under applicable state law prior to July 17, 1982, or (c) has not been convicted under a city or village ordinance enacted pursuant to applicable state law either prior or subsequent to July 17, 1982, the court shall, as part of the judgment of conviction, order such person not to drive any motor vehicle for any purpose for a period of 6 months from the date of his or her conviction and shall order that the operator's license of such person shall be revoked for a like period. If the court places such person on probation or suspends the sentence for any reason, the court shall, as one of the conditions of probation or sentence suspension, order such person not to drive any motor vehicle for any purpose for a period of 60 days from the date of the order;

(2) If such person (a) has had one previous conviction under applicable state law since July 17, 1982, (b) has been convicted once under applicable state law prior to July 17, 1982, or (c) has been convicted once under a city or village ordinance enacted pursuant to applicable state law either prior or subsequent to July 17, 1982, the court shall, as part of the judgment of conviction, order such person not to drive any motor vehicle for any purpose for a period of 1 year from the date of his or her conviction and shall order that the operator's license of such person shall be revoked for a like period. If the court places such person on probation or suspends the sentence for any reason, the court shall, as one of the conditions of probation or sentence suspension, order such person not to drive any motor vehicle for any purpose for a period of 6 months from the date of the order and such order of probation shall include as one of its conditions confinement in the county jail for 48 hours;

(3) If such person (a) has had two or more previous convictions under applicable state law since July 17, 1982, (b) has been convicted two or more times under applicable state law prior to July 17, 1982, (c) has been convicted two or more times under a city or village ordinance enacted pursuant to applicable state law either prior or subsequent to July 17, 1982 or (d) has been convicted as described in subdivisions (3)(a) to (3)(c) of this Section a total of two or more times; the court shall, as part of the judgment of conviction, order such person not to drive any motor vehicle for any purpose for a period of 15 years from the date of his or her conviction and shall order that the operator's license of such person shall be revoked for a like period. If the court places such person on probation or suspends the sentence for any reason, the court shall, as one of the conditions of probation or sentence suspension, order such person not to drive any motor vehicle for any purpose for a period of 1 year from the date of the order and such order of probation shall include as one of its conditions confinement in the county jail for 7 days;

For each conviction under this section, the court shall as part of the judgment of conviction, make a finding on the record as to the number of the defendant's prior convictions under this section prior or subsequent to July 17, 1982, and the defendant's prior convictions under a State statute, city or village ordinance enacted pursuant to this section either prior or subsequent to July 17, 1982. The defendant shall be given the opportunity to review the record of his or her prior convictions, sentencing, and make objections on the record regarding the validity of such prior convictions.

At the discretion of the court, any person convicted of violating this section may be required to attend, at the convicted person's expense, an alcoholism treatment program as a term of probation.

Reference: For similar state law and authority of city to adopt this section, see Neb. Rev. Stat. 1943, Section 39-669.07 As to chemical tests for amount of alcohol in body fluids, see Neb. Rev. Stat. 1943, Section 39-669.08 to 39-669.12.

15-307. Following fire apparatus.

The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.
(Code 1973, 21-43)

15-308. Driving through funeral processions.

No vehicle, except police vehicles and fire department vehicles, when responding to emergency calls or orders in their several departments, ambulances responding to emergency calls, including vehicles carrying

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United States mails shall be driven through a funeral procession or cortege except with the permission of a police officer.

(Code 1973, 21-44)

15-309. Overtaking vehicles within street intersections.

The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction, while traversing a street intersection, if such passing requires such overtaking vehicle to drive to the left of the center of the street.

(Code 1973, 21-45)

15-310. Vehicles to be driven to the right.

Upon all highways of sufficient width, one-way streets excepted, the driver of a vehicle shall drive the same on the right half of the roadway. In passing or meeting, drivers shall give each other at least one-half of the main traveled portion of the roadway as near as possible.

(Code 1973, 21-46)

Reference: For state law as to driving to the right on roadways, see Neb. Rev. Stat. 1943, Section 39-620.

15-311. Overtaking and passing on the left.

A vehicle shall not be driven to the center line of the highway in overtaking or passing another vehicle proceeding in the same direction, unless such left side is clearly visible and free from oncoming traffic for a sufficient distance to permit such overtaking and passing to be made in safety.

(Code 1973, 21-47)

Reference: For state law as to overtaking and passing on the left, see Neb. Rev. Stat. 1943, Section 39-622.

15-312. Driving on divided street.

On a street divided longitudinally by a parkway, viaduct, walk or sunken way, vehicles shall keep to the right of such division. (Code 1973, 21-48)

15-313. Quiet zones; unnecessary use of signal devices.

All streets, or portions thereof, lying within three hundred feet of any hospital, shall constitute quiet zones, and no driver of any vehicle shall, within such zones, make any unnecessary noise or sound the horn or other warning device of such vehicle except in an emergency. It shall be unlawful for any person in any part of the City to make or cause to be made any unnecessary noise with any signal device, or to use the same except as a road signal.

(Code 1973, 21-49)

15-314. Right-of-way -- Intersections generally; pedestrians' rights.

Except as otherwise provided in Sections 15-315 to 15-317:

(1) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway;

(2) When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right; and

(3) The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway, shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

(Code 1973, 21-50)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-635 et seq.

15-315. Same -- Vehicles entering or crossing highway from private road, building, etc.

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The driver of a vehicle about to enter or cross a highway from a private road, alley, building or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.
(Code 1973, 21-51)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-638.

15-316. Same -- Stop required before crossing sidewalk or emerging from garage, etc.

All vehicles, before crossing a sidewalk or emerging from a garage, alley, filling station or other place, within the congested district, shall come to a complete stop, and after giving sufficient warning, shall proceed slowly and with extreme caution while crossing such sidewalk, or leaving such garage, alley, filling station or other place. The term "slowly" shall be construed to mean such rate of speed as is reasonable and proper under the circumstances and the condition of the street and the traffic thereon.
(Code 1973, 21-52)

15-317. Same -- Approach of emergency vehicles.

Upon the approach of authorized emergency vehicles giving audible signal by bell, siren or exhaust whistle, the driver of every other vehicle shall yield the right-of-way and shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the roadway, clear of any intersection, and shall stop and remain in such position unless otherwise directed by a police officer or traffic officer until the police, fire department or civil defense rescue vehicle shall have passed. The provisions of this section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right-of-way. (Code 1973, 21-53)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-640.

15-318. Procedure upon being overtaken and passed.

The driver of a vehicle about to be overtaken and passed by another vehicle approaching from the rear, shall give the right-of-way in favor of the overtaking vehicle on audible signal being given by the driver of the overtaking vehicle.

The driver of a vehicle about to be overtaken and passed by another vehicle shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. (Code 1973, 21-54)

15-319. Emission of unnecessary smoke, gas, odor, etc.

No person shall operate upon any street, alley or highway, any motor vehicle in such manner as to permit to escape therefrom any unnecessary smoke, gas, steam or offensive odor, or in such manner as to discharge any embers, oils or residue from the fuel used in the operation thereof. Proof of the escape from such motor vehicle of any steam, smoke, gas or offensive odors shall be prima facie evidence that the same is unnecessary. (Code 1973, 21-55)

15-320. Truck routes.

The City Council may designate certain streets in the City that trucks shall travel upon and it shall be unlawful for persons operating such trucks to travel on other streets than those designated by such resolution for trucks, unless to pick up or deliver goods, wares or merchandise, and in that event the operator of such truck shall return to such truck routes as soon as possible in traveling through or about the City. The council shall cause notices to be posted or shall erect signs indicating the streets so designated as truck routes.
(Code 1973, 21-56)

15-321. Following too closely.

The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of such vehicle and the traffic upon and the condition of the street.
(Code 1973, 21-57)

15-322. Meeting or overtaking school buses.

The driver of any motor vehicle upon meeting or overtaking, from the front or rear, any school bus on

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which the stop warning signal lights are flashing shall reduce the speed of such vehicle to not more than twenty-five miles per hour and shall bring such vehicle to a complete stop when the school bus stop signal arm is extended and shall remain stopped until the stop arm is retracted and the school bus resumes motion or until signaled by the bus driver to proceed. This Section shall not apply to approaching traffic traveling in the opposite direction on a dual highway divided by a median strip.
(Code 1973, 21-58; Ord. Nos. 2184 and 2185)

Division 2. Turning Movements.

15-323. Procedure at intersections generally.

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

(1) Right turns. Vehicles turning to the right into an intersecting street shall approach such intersection in the lane for traffic nearest to the right hand side of the highway and must turn the corner as near the right hand curb as possible so as to keep between the curb to the right and the center of the intersection of the two streets.

(2) Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(3) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of the vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered.
(Code 1973, 21-59; Ord. No. 1751)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-650.

15-324. Procedure for changing course of direction, etc.

The operator of a vehicle shall, before stopping, turning or changing the course of such vehicle, first see that there is sufficient space to make such movement in safety, and, if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement, shall give an unmistakable visible signal to the crossing officer, or to the driver of the vehicle following, of his intention to make such movement.
(Code 1973, 21-61)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-651.

15-325. Signals.

A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet in traveled by the vehicle before turning. The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the department of roads and irrigation. The hand and arm signals herein required shall be given from the left side of the vehicle in the following manner: Stop, or decreased speed, hand and arm extended downward; left turn, hand and arm extended horizontally; right turn, hand and arm extended upward.
(Code 1973, 21-62)

Reference: For state law as to turn signals, see Neb. Rev. Stat. 1943, Section 39-652.

15-326. U turns.

No vehicle shall be turned so as to proceed in the opposite direction, except at a street intersection. No vehicle shall be turned so as to proceed in the opposite direction at any intersection where an automatic signal is in operation or at any intersection included within the congested district.
(Code 1973, 21-63)

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Division 3. Speed Limitations.

15-327. Generally.

No person shall operate a motor vehicle on any street, alley or other place within the City at a rate of speed greater than is reasonable and proper, having regard for the traffic and roadway and the condition of the street or at such speed as to endanger the life, limb or property of any person, and under no circumstances in excess of twenty-five miles per hour on all streets in the residential district including arterial highways except in the business district where the maximum speed is hereby fixed at twenty miles per hour. (Code 1973, 21-64)

15-328. Speed contests; drag races.

It shall be unlawful for any person to drive any vehicle on any highway located in the City in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition, contest or exhibition. For the purposes of this Section a drag race shall be defined to mean the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to out distance each other, or the operation of one or more vehicles over a common selected course, each starting at the same point and proceeding to the same point for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.

It shall be unlawful for any person to operate a motor vehicle upon any highway or public road in a speed contest, including those commonly known as drag races, whether from a standing start or otherwise, over a measured or unmeasured distance, the object of which is to better or defeat one or more contestants on the basis of elapsed time, superior performance or speed.

Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not less than twenty-five dollars nor more than one hundred dollars. In addition to such fine or imprisonment or both, the person, upon conviction thereof, may have his motor vehicle operator's license suspended for a period not to exceed sixty days. (Code 1973, 21-65; Ord. Nos. 2184 and 2185)

Reference: For state law as to drag racing, see Neb. Rev. Stat. 1943, Sections 39-602(20) and 39-668.

15-329. Speed limits in certain zones.

It is hereby determined upon the basis of engineering and traffic investigations that the speed permitted by Section 15-327 upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and sign posting of such streets as through streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

Prima Facie
Street Speed Limit

(1) Burlington Avenue:

- (a) "J" Street north to "C" Street 35 m.p.h.
- (b) "C" Street north to Chicago, Burlington and Quincy Viaduct 30 m.p.h.
- (c) Chicago, Burlington and Quincy Viaduct north to Fourth Street 25 m.p.h.
- (d) Fourth Street north to Eighth Street 30 m.p.h.
- (e) Eighth Street north to Eighteenth Street 35 m.p.h.

(2) Second Street from Baltimore Avenue, west to the corporate limits of the City 35 m.p.h.

(3) Route of U.S. Highways No. 34 and 281, within the corporate limits of the City:

- (a) Eighteenth Street north to 1200 feet north of 42nd Street 45 m.p.h.
- (b) 1200 feet north of 42nd Street to Lochland Road 55 m.p.h.
- (c) Lochland Road 1476 feet north to City Limits 65 m.p.h.
- (d) "M" Street north to the intersection of "J" Street and Baltimore Avenue 40 m.p.h.

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(4) Route of U.S. Highway No. 6 within the corporate limits of the City:

- (a) The west corporate limits of the City east to Baltimore Avenue 45 m.p.h.
- (b) Baltimore Avenue east and then continuing north to 300 feet south of "D" Street 40 m.p.h.
- (c) 300 feet south of "D" Street north and then continuing east to Second Avenue . . . 35 m.p.h.
- (d) Second Avenue east to the east corporate limit of the City 40 m.p.h.

(5) Route of U.S. Highways No. 34 and 281 northeast bypass from Old U.S. Highway No. 281 east to Second Avenue 50 m.p.h.

(6) 12th Street:

- (a) The west corporate limits of the City east to Brentwood Avenue 45 m.p.h.
- (b) Brentwood Avenue east to Marian Road 35 m.p.h.
- (c) Marian Road east to Burlington Avenue 30 m.p.h.
- (d) Burlington Avenue east to Elm Avenue 25 m.p.h.
- (e) Elm Avenue east to 698 feet east of Elm Avenue 35 m.p.h.
- (f) 698 feet east of Elm Avenue east to the east corporate limits of the City 45 m.p.h.

(7) Osborne Drive East from 26th Street north to 42nd Street 35 m.p.h.

(8) 42nd Street from U.S. Highway 281 and 34 east to 1450 feet east of U.S. Highway 281 and 34 35 m.p.h.

(9) Wabash Avenue from U.S. Highway 6, south to the corporate limits of the City . . . 40 m.p.h.

(10) "A" Street from Baltimore to Woodland 30 m.p.h.

(11) Adams Central Road, north of 12th Street to the limits of the City 45 m.p.h.

(12) State Spur S-1C (Highland Road) from 728' south of 2nd Street to 2nd Street 40 m.p.h.
(Code 1973, 21-66; Ord. Nos. 1823, 2383, 2770, 2893, 2944, 3041-11/87, 3074-8/88, 3112-1/89, 3430-9/94, 3470-3/95, 3497-9/95, 3518-1/96, 3581-3/97, 3621-2/98, 3993-1/2005, 4068-2/2006 and 4235-11/2009)

15-330. School zones.

(1) No person shall drive or operate any vehicle at a rate of speed in excess of twenty (20) miles per hour upon, over or through any street or highway designated hereinafter as the Senior High School or Middle School Zone.

(2) No person shall drive or operate any vehicle at a rate of speed in excess of fifteen (15) miles per hour upon, over or through any street or highway designated hereinafter as a school zone other than the Senior High School or Middle School Zone.

(3) The foregoing speed limits shall apply when children are present.

(4) The City Engineer shall post speed limit signs along the public right-of-way at and within the boundaries of the school zones.

(5) The school zones within the City of Hastings are hereby designated as follows:

Alcott Elementary School Zone

Cedar Avenue Commencing in the northbound lane one hundred seventy eight feet (178') south of the south curbline of East 3rd Street, and ending in the northbound lane at north curbline of East 4th Street.

Cedar Avenue Commencing in the southbound lane one hundred twenty feet (120') north of the north curbline of East 4th Street, and ending in the southbound lane at south curbline of East 3rd Street.

California Avenue Commencing in the northbound lane two hundred twenty feet (220') south of the south curbline of East 3rd Street, and ending in the northbound lane at

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north curbline of East 4th Street.

California Avenue	Commencing in the southbound lane one hundred fifty feet (150') south of the south curbline of East 5 th Street, and ending in the southbound lane at south curbline of East 3 rd Street.
East 3 rd Street	Commencing in the eastbound lane ninety four feet (94') west of the west curbline of North California Avenue, and ending in the eastbound lane at east curbline of North Cedar Avenue.
East 3 rd Street	Commencing in the westbound lane seventy two feet (72') west of the west curbline of North Delaware Avenue, and ending in the westbound lane at west curbline of North California Avenue.
East 4 th Street	Commencing in the eastbound lane fifty five feet (55') east of the east curbline of North California Avenue, and ending in the eastbound lane at east curbline of North Cedar Avenue.
East 4 th Street	Commencing in the westbound lane one hundred thirty four feet (134') east of the east curbline of North Cedar Avenue, and ending in the westbound lane at west curbline of North California Avenue.

Hawthorne Elementary School Zone

Laird Avenue	Commencing in the northbound lane one hundred forty eight feet (148') south of the south curbline of West 9 th Street, and ending in the northbound lane at north curbline of West 11 th Street.
Laird Avenue	Commencing in the southbound lane one hundred forty five feet (145') north of the north curbline of West 11 th Street, and ending in the southbound lane at south curbline of West 9 th Street.
Crane Avenue	Commencing in the northbound lane one hundred eighty five feet (185') south of the south curbline of West 9 th Street, and ending in the northbound lane at north curbline of West 11 th Street.
Crane Avenue	Commencing in the southbound lane one hundred fifty feet (150') north of the north curbline of West 11 th Street, and ending in the southbound lane at south curbline of West 9 th Street.
West 9 th Street	Commencing in the eastbound lane two hundred twenty feet (220') west of the west curbline of North Laird Avenue, and ending in the eastbound lane at east curbline of North Crane Avenue.
West 9 th Street	Commencing in the westbound lane two hundred twenty seven feet (227') east of the east curbline of North Crane Avenue, and ending in the westbound lane at west curbline of North Laird Avenue.

Lincoln Elementary School Zone

Franklin Avenue	Commencing in the northbound lane seventy five feet (75') south of the south curbline of West F Street, and ending in the northbound lane at north curbline of West E Street.
Franklin Avenue	Commencing in the southbound lane sixty seven feet (67') south of the south curbline of West E Street, and ending in the southbound lane at south curbline of West F Street.
West E Street	Commencing in the eastbound lane thirty five feet (35') west of the west curbline of South New York Avenue, and ending in the eastbound lane at east curbline of Chicago Avenue.
West E Street	Commencing in the westbound lane ninety two feet (92') east of the east curbline of Chicago Avenue, and ending in the westbound lane at west curbline of South New York Avenue.

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Morton Elementary School Zone

North Baltimore Avenue Commencing in the northbound lane eighty four feet (84') north of the north curbline of West 7th Street, and ending in the northbound lane at north curbline of West 8th Street.

North Baltimore Avenue Commencing in the southbound lane fifty feet (50') south of the south curbline of Boyce Street, and ending in the southbound lane at north curbline of West 7th Street.

St. Cecilia's School Zone

North Kansas Avenue Commencing in the northbound lane sixty feet (60') north of the north curbline of West 5th Street, and ending in the northbound lane at south curbline of West 7th Street.

Longfellow Elementary School Zone

West 9th Street Commencing in the eastbound lane forty five feet (45') east of the east curbline of North Lincoln Avenue, and ending in the eastbound lane at east curbline of North Denver Avenue.

West 9th Street Commencing in the westbound lane fifty two feet (52') west of the west curbline of North St. Joseph Avenue, and ending in the westbound lane at west curbline of North Hastings Avenue.

Senior High School Zone

West 14th Street Commencing in the eastbound lanes one hundred forty five feet (145') east of the east curbline of North Briggs Avenue, and ending in the eastbound lane at west curbline of North Burlington Avenue.

West 14th Street Commencing in the westbound lanes one hundred fifteen feet (115') west of the west curbline of North Burlington Avenue, and ending in the westbound lane at east curbline of North Briggs Avenue.

Watson Elementary School Zone

North Crane Avenue Commencing in the northbound lane one hundred thirty two feet (132') north of the north curbline of West 14th Street, and ending in the northbound lane at north curbline of West 18th Street.

North Crane Avenue Commencing in the southbound lane at the north curbline of West 18th Street, and ending in the southbound lane at north curbline of West 14th Street.

St. Michael's Elementary School Zone

7th Street Commencing at the eastern edge of the Oakmont Avenue right-of-way, to the west edge of the Glenwood Avenue right-of-way. This shall include both eastbound and westbound lanes of traffic.

Creighton Avenue Commencing at the north edge of the 7th Street right-of-way, to south edge of the Paradise Drive right-of-way. This shall include both northbound and southbound lanes of traffic.

(Code 1973, 21-67 and Ord. No. 3758-8/2000 and 4201-10/2008)

15-331. Approaching public places.

Vehicles approaching public school, railway station, theater, church or any other public building or crowded space, shall do so in an especially cautious manner, and always by way of the right side of the street.

(Code 1973, 21-68)

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15-332. Slow moving vehicles.

Vehicles moving slowly shall keep as close as possible to the curb on the right allowing more swiftly moving vehicles free passage on their left.

(Code 1973, 21-69)

Article IV. Stopping, Standing and Parking.

Division 1. Generally.

15-401. Applicability of Article to government vehicles.

The provisions of this Article shall apply to the driver of any vehicle owned by the United States in the service of the United States Government, State, County, City or school district of the City. It shall be unlawful for any of such drivers to violate any of the provisions of this Article, except as otherwise permitted herein.

(Code 1973, 21-70)

15-402. Exemption from article for authorized emergency vehicles.

The provisions of this Article regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this Chapter, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

(Code 1973, 21-71)

15-403. Designation of parking areas.

The Council may set aside any street, alley or public way, or portion thereof, wherein no vehicle shall be parked, and may also set aside any street, alley or public way, or portion thereof for the parking of any particular kind or class of vehicle, and when the parking of vehicles in any street, alley or public way or portion thereof, has been prohibited by resolution, no vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of the street, alley or public way, or portion thereof, longer than a period of time necessary to load and unload freight or passengers.

(Code 1973, 21-72)

15-403.01. Parking prohibited in spaces designated for disabled or handicapped persons.

(1) It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for physically handicapped or disabled persons if, immediately adjacent to and visible from such stall or space, there is posted a sign identifying said stall or space as a parking space for vehicles driven by handicapped or disabled persons, unless the driver of the vehicle is handicapped or disabled and the vehicle displays the distinguishing license plates issued to handicapped or disabled persons by the State of Nebraska or by another state or a handicapped or disabled vehicle identification issued by the City and displayed as authorized under Nebraska law.

(2) Stalls or spaces restricted to the parking of vehicles driven by handicapped or disabled persons upon the streets, alleys, public ways or public or private parking facilities in the City may be designated by resolution of the City Council, by action of the Chief or Police of the City or, as to private parking facilities, by the owner thereof. Any such designation shall be designed and placed in accordance with Nebraska law.

(3) This Section 15-403.01 shall apply to all public streets, off-street parking facilities owned or operated by the City and any privately owned or operated parking facility, with the consent of the owner thereof.

(4) If any permit issued by the City to a handicapped or disabled person shall be used by any other person, for any other motor vehicle, or for any purpose other than that for which it was originally issued, the permit may be suspended for 6 months.

(5) In addition to the punishment provided in (4) above, violation of Subsections (1) through (4) of this Section 15.403.01 shall be punishable by a fine of up to \$100.00 per violation.

(Ord. No. 3195-11/90)

15-404. Establishment of parking time limits.

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The City Council may entirely prohibit or fix a time limit for the parking and stopping of vehicles in any designated street, streets or districts and the parking or stopping of any vehicle in any such street, streets or district for a period of time longer than fixed in the ordinance, resolution or motion authorizing the same shall constitute a violation of this Article.

(Code 1973, 21-73)

15-405. Continuing violation.

On those streets which have been posted or designated as limited time parking zones all vehicles parked in excess to the designated time limitation shall be cited for violation of said time limitation and said violation shall be continuous and each additional parking in excess of the applicable time period from the time of the last citation shall constitute a new violation and an additional citation shall be issued therefore.

(Code 1973, 21-73.1; Ord. No. 2717)

15-406. Manner of parking generally; obstructing private driveways or fire station entrances prohibited.

No person shall park any vehicle or approach the curb with a vehicle except when headed in the direction of the traffic. The City Council may designate any street or portion thereof within the business district where vehicles shall be parked parallel with and adjacent to the curb so as to have both right wheels within six (6") inches of the curb or where vehicles shall be parked at an angle of about forty-five (45) degrees; and all vehicles when parked at such angle on any such street or portion thereof shall be parked with the right front wheel of such vehicle at the curb. Where stalls are designated either on the curb or pavement in the business district, vehicles shall be parked within such stalls. On all other streets outside the business district, vehicles when parked shall stand parallel with and adjacent to the curb in such manner as to have both right wheels within twelve (12") inches of the curb and so as to leave at least four (4') feet between the vehicle so parked and any other parked vehicle. No person shall park a vehicle so as to obstruct a private driveway or drive for any period of time. No person shall park a vehicle or permit it to stand within fifteen (15') feet in either direction from the entrance to any fire station.

(Code 1973, 21-74)

15-407. Parking in alleys.

No vehicle shall be parked in any alley, except for the purpose of loading or unloading, and then such vehicle shall only be parked during the time necessary to load or unload, which shall not exceed the maximum limit of one half (1/2) hour; provided, that this Section shall not apply to merchants' delivery trucks parked in alleys immediately at the rear of their respective places of business, if such trucks shall be parked so as not to obstruct the passing of moving cars therein. Every vehicle while loading or unloading in any alley shall be parked in such a manner as will cause the least obstruction possible to traffic in such alley.

(Code 1973, 21-75)

15-408. Restrictions on parking trucks; exceptions.

It shall be unlawful for the operator of any truck, truck-tractor or semitrailer of an overall length of twenty (20') feet, including load, to stop or park such vehicle on any street within the congested district, whether or not such street is marked for angle or parallel parking. Such vehicles may stop, stand or park for such time as is necessary, in no case longer than one half (1/2) hour, to expeditiously load or unload their contents in alleys where such stopping is possible; provided, that it shall be lawful for such vehicle to stop or park elsewhere on highways in the congested district if stopping for loading or unloading in alleys is impossible,

only after the operator of the designated vehicles shall have obtained a written permit from the Chief of Police to do so. It shall also be unlawful for the operator of any such truck, truck- tractor or semitrailer regardless of the length of the same, to park such vehicle with the end-gate of same down and extended beyond the body of such vehicle; nor shall such vehicle stop, stand or park within a street intersection, on a crosswalk, in front of a private driveway or on a sidewalk. The Mayor and City Council may provide truck parking lots adjoining or adjacent to the congested district for parking purposes. No such truck, including any oil tanker, shall park or stop for any period of time within the limits of any street outside the congested district during the night or day save and except for the purpose of loading or unloading the cargo thereof in the ordinary course of business; provided, however, the City Council may by resolution designate portions of any street as available for truck parking, and so long as any such resolution is in effect for any particular street, it shall be lawful to park trucks there, subject to any restrictions contained in the resolution.

(Code 1973, 21-76; Ord. No. 3058-4/88)

15-409. Backing freight vehicles to curb.

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Vehicles of an overall length of less than twenty (20') feet including load, while discharging freight may back to the curb and shall occupy as little of the street as possible.

(Code 1973, 21-77)

15-410. Bus stops.

All motor buses shall stop at the curb for the purpose of receiving and discharging passengers, at such locations as the City Council shall, by appropriate sign or standard, designate.

(Code 1973, 21-78)

15-411. Taxicab stands.

The City Council may designate special parking places for licensed taxicabs which may be indicated by suitable signs or standards set in place by the Police Department. When any such parking place shall have been designated and a sign or standard, as herein provided, shall have been set in place, no vehicle other than a licensed taxicab shall be parked therein.

(Code 1973, 21-79)

15-412. Uses prohibited in or on public right-of-way.

(1) It shall be unlawful for any person to park any vehicle upon public right-of-way, public parking lot or other publicly owned place for more than 12 consecutive hours within any area for which the Hastings City Council has established time limits for parking.

(2) It shall be unlawful for a person to park a vehicle upon public right-of-way, public parking lot or other publicly owned place within the City of Hastings for more than 72 consecutive hours. Upon finding that a violation of this subsection exists, the Police Department may affix to the vehicle a red tag or other type of notice reasonably calculated to make known the Police Department's plan or intention to have the vehicle towed or otherwise removed. If 12 hours shall pass after the Police Department has affixed said tag or notice without said vehicle being removed from the place where it has been parked in violation of this subsection, the vehicle may be towed away at the Police Department's direction and placed in the City Pound and remain there until all fines and expenses are paid pursuant to this Chapter.

(3) No person shall adjust or repair any vehicle, automobile, motorcycle or trailer or race the motor of same, while standing on the public streets, City owned parking lots or alleys of this City, except in case of breakdown or other emergency requiring the same, and no person or employee connected with a garage or repair shop shall use sidewalks, streets or alleys for the purpose of working on or upon automobiles or motor driven vehicles of any description.

(4) No person shall park or store any inoperable vehicle, garbage, junk or refuse on public right-of-way. Upon determining that a violation of this subsection has existed for more than six hours, the City of Hastings may tow or otherwise haul away such items as it deems necessary and dispose of the items according to Neb. Rev. Stat. §18-1720, §60-1901 et. seq. or by Order of a Court of Law.

(5) For purposes of this section, inoperable vehicle shall include by example, but not be limited to any unlicensed, unregistered, wrecked, or partially dismantled car, truck, motorcycle, trailer, motor home, snowmobile, boat, jet ski, stock car, race car, demolition derby car, bus, van, airplane, farm machinery, or any other item used to propel an individual by means of combustion engine or other mechanical means, as well as any part or parts of such vehicle.

(6) For the definition of garbage, junk and refuse, refer to Hastings City Code Section 18-120.

(Code 1973, 21-80; Ord. Nos. 2465, 2629, 3159-2/1990, 3234-11/91 and 4234-11/2009)

15-413. Towing parked vehicles.

Any vehicle may be towed away at the Police Department's direction, and placed in the City Pound and remain there until all fines and expenses are paid pursuant to this Chapter, for any of the following reasons:

(1) Violation of Section 15-408 of the Hastings City Code;

(2) Violation of Section 15-412 (1) or (3) of the Hastings City Code, or violation of Section 15-412 (2) if the further conditions set forth in said subsection shall have been met;

(3) Violation of Section 15-415 of the Hastings City Code;

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(4) Violation of Section 15-418 of the Hastings City Code;

(5) Violation of Section 15-419 of the Hastings City Code;

(6) Upon determination by the Police Department that three (3) or more unsatisfied and outstanding citations exist upon any such motor vehicle; or

(7) Upon a finding by the Police Department that an outstanding warrant exists for the arrest of the owner of any such vehicle.

The foregoing provisions are in addition to the provisions of Section 15-509 of the Hastings City Code. (Code 1973, 21-80.1; Ord. No. 2629, 2792 and 3234-11/91)

15-414. Abandoned vehicles.

It shall be unlawful for any person to abandon any vehicle upon any City street, alley, parking lot or other publicly owned property or public place within the City. The Police Department shall have the authority to cause any abandoned vehicle to be towed or otherwise removed from any such City street, alley, parking lot or other publicly owned property or public place. In ascertaining abandonment, the Police Department shall rely upon such facts as it reasonably deems appropriate, including criteria established by Neb. Rev. Stat. 60-1901 et seq., as amended from time to time. The City Council hereby finds and declares that prima facie evidence of abandonment exists when the vehicle has remained unattended and in the same location for a period of 72 hours after the Police Department has prominently affixed to the vehicle a red tag or other type of notice reasonably calculated to make known the Police Department's plan or intention to have the vehicle towed or otherwise removed. For the purposes of this ordinance, the term "vehicle" shall include all or any part of any car, truck, motorcycle, trailer, motor home, recreational vehicle, or other type of mobile vehicle intended for transportation, storage, or habitation.

(Ord. No. 3159-2/1990)

15-415. License plates on parked vehicles -- Owner of vehicle responsible for parking.

Every vehicle parked or left standing upon any street, alley, public way or parking facility, or other public property shall have license plates attached thereto which are issued for the vehicle to which said license plates are attached and are registered in the name of the owner of the vehicle in accordance with the laws of the State of Nebraska, or of the state wherein the license is issued. If any vehicle is found upon any street, alley, public way or parking facility or other public property, or privately owned property which is available for public parking either in a restricted or unrestricted manner, in violation of any of the provisions of this Article regulating the stopping, standing or parking of vehicles and the identity of the driver cannot be determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation.

(Code 1973, 21-80.3; Ord. No. 2629 and 3527-3/96)

15-416. Parking near fire hydrants.

No vehicle shall be parked or left standing within fifteen (15') feet in either direction of any fire hydrant for any period of time whatever and the curb space within such area of fifteen (15') feet in either direction of such fire hydrant may be painted yellow to indicate such prohibitions.

(Code 1973, 21-81)

15-417. Parking -- Vehicles overhanging adjacent property or parked in sidewalk space.

It shall be unlawful for any person to park or place or cause to be parked or placed (1) any vehicle on any private property in such a manner that the vehicle overhangs the streets, including that space between the curb line and the lot line, or in such a manner that the vehicle overhangs adjacent property, or (2) any vehicle upon any part of the sidewalk space or that space between the curb line and the lot line, unless the owner or occupant of the real estate abutting such space shall have obtained a permit from the City Engineer to use that area for parking purposes.

(Code 1973, 80-82; Ord. No. 2630)

15-418. Parking -- Permit application and fee.

The owner or occupant of real property abutting the street space between the curb and lot line may make application to the City Engineer for a permit for parking vehicles in such area by the public generally. Such

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application shall set forth the name of the applicant and the exact area wherein parking of motor vehicles is desired. Such application shall be accompanied by a fee in an amount as set fourth in the most recent Council fee resolution, which fee shall become the property of the City at the time the application is approved, otherwise to be returned to the applicant. A permit shall not be required for curb cuts existing on March 1, 1978.

(Code 1973, 21-83; Ord. No. 2630)

15-419. Obstructing alley entrance.

No vehicle, while parked, shall have any portion thereof projecting into an alley entrance.

(Code 1973, 21-84)

15-420. Obstructing traffic.

It shall be unlawful to stop a motor vehicle, or to allow it to stand or be parked upon any street of the City of Hastings unless so permitted by any provision of this Chapter or in obedience to any traffic control device or order of any police officer of the City of Hastings.

(Code 1973, 21-85; Ord. No. 2887)

15-421. Vehicle not to be parked with left side to curb; preventing parked vehicle from moving.

Except on one-way streets when permitted by law, no vehicle shall stop on any street with its left side to the curb. A vehicle shall not be left at the curb in such a position as to prevent another vehicle already parked at the curb from moving away.

(Code 1973, 21-86)

15-421.01. Parking on private property.

It shall be unlawful for any person to park or leave standing outside of an enclosed structure upon property owned or controlled by said person, or upon property which is not owned or controlled by said person if it is available for public parking either in a restricted or unrestricted manner, any motor vehicle which does not have a valid current state motor vehicle license affixed thereto in the place where said license is required to be affixed pursuant to Nebraska law, including Section 60-323 thereof.

(Ord. No. 3527-3/96)

Division 2. Penalties.

15-422. Designation of police department as violations bureau.

The Police Department of the City of Hastings is hereby designated as the Violations Bureau for the City for all parking violations. It shall be the duty of the police officers of the City to accept penalties and fees herein designated from violators desiring to plead guilty or no contest in accordance with the proceedings set forth.

(Code 1973, 21-88; Ord. No. 2658)

15-423. Notification of violations.

Violators of the provisions of Chapter 15, Article IV of the City Code may be given notice in the form of an official police tag attached to the offending motor vehicle, which notice shall require violators to appear forthwith at the police station. Such official police tag may contain a statement that a complaint and warrant of arrest shall be issued to the violator if such notice of violation is disregarded for a period of thirty (30) days.

(Code 1973, 21-89; Ord. Nos. 2658 and 2788)

15-424. Presumption.

If any prosecution charging a violation of the provisions of Chapter 15, Article IV of the City Code, proof that the particular vehicle described in the complaint was parked in violation of any of the said provisions, together with proof that the defendant named in the complaint was at the time of said parking the registered owner of said vehicle, shall constitute a prima facie rebuttable presumption that the first registered owner of said vehicle was the person who parked or placed said vehicle at the place where, and for the period during which, said violation occurred.

(Code 1973, 21-90; Ord. No. 2658)

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15-425. Penalties and fees.

Any violator of the provisions of Chapter 15, Article IV of the City Code appearing at the Police Department and desiring to plead guilty or no contest and waive court appearance shall present the official police tag and pay the Police Department a penalty in an amount as set forth in the most recent Council fee resolution. The violator shall have this privilege until ten (10) days have elapsed after the issuance of the ticket. After that time the fine for the parking violation shall increase to an increased penalty in an amount as set forth in the most recent Council fee resolution, which may be paid until such time as a complaint is filed in County Court.

If the violator fails to pay the appropriate fine within thirty (30) days after issuance of the parking ticket, the City Attorney may then file a complaint against said violator in County Court. The City Attorney shall notify the violator of the filing of the complaint by serving a copy upon the violator by mailing, or any other means reasonably calculated to give the violator notice.
(Code 1973, 21-91; Ord. Nos. 2658 and 2788)

15-426. Disposition of penalties and fees collected.

The Police Department shall make a record of all violators showing the name of each violator, the time and date of each violation, the disposition of the case and the penalty assessed. Such record shall be given to the Police Chief. All money collected by the Police Department under this division shall be paid to the City Treasurer to be accounted for according to law.
(Code 1973, 21-92; Ord. No. 2658)

15-427. Notification by mail.

In the event such violator fails to respond to the notification provided for in Section 15-422 for at least ten (10) days the Attorney for the City may notify the violator by mail of (1) the violation, (2) the presumption provided for in Section 15-423, (3) that should he fail to make payment of the penalty as set forth in the most recent Council fee resolution or show cause why the City Attorney should not proceed further on the matter within twenty (20) days from the date of the letter, a complaint will be filed with the County Court against him and (4) that from the date of filing the complaint and for ten (10) days thereafter he may appear in County Court and pay the penalty as set forth in the most recent Council fee resolution plus court costs and if he should fail to do so, a warrant may be issued for his arrest.
(Code 1973, 21-93; Ord. Nos. 2658 and 2788)

15-428. Failure to pay before complaint is filed.

(1) In the event such violator fails to respond to the notification provided for in Section 15-422, the Attorney for the City shall cause a complaint to be filed with the County Court against such persons.

(2) From the date of filing the Complaint and for ten (10) days thereafter the person against whom the Complaint is filed may appear in County Court and pay the penalty as set forth in the most recent Council fee resolution, plus court costs.

(3) Upon ten (10) days or more passing after the Complaint is filed, the City Attorney may apply for a Warrant for the arrest of the violator.
(Code 1973, 21-94; Ord. Nos. 2658 and 2788)

Article V. Snow Emergency Routes.

15-501. Defined.

(1) The term "snow emergency routes," as used in this Article, shall mean those streets established as such in accordance with the provisions of this Article.

(2) The term "Mayor" shall mean the person elected as Mayor of the City of Hastings, or in his or her absence, the President of the Hastings City Council, and shall also mean any person designated by the Mayor to perform any of the acts of the Mayor described in this Article.
(Code 1973, 21-99; Ord. No. 2366 and 3443-11/94)

15-502. Established.

The following streets in the City of Hastings are hereby designated as snow emergency routes:

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EAST/WEST ROUTES

Street	From	To
Lochland Road	Baltimore Avenue	East City Limits
Madden Road	Baltimore Avenue	Tom Osborne Express
42 nd Street	West City Limits	East City Limits
33rd Street	Osborne Drive East	Lakepark Lane
North Shore Drive	Baltimore Avenue	Osborne Drive East
South Shore Drive	North Shore Drive	Osborne Drive West
26 th Street	Osborne Drive East	Second Avenue
16th Street	Burlington Avenue	19th Street
14th Street	Westridge Drive	Elm Avenue
12th Street	West City Limits	Showboat Boulevard
Park Lane Drive	Sycamore Avenue	Marion Road
9th Street	Marion Road	North 6th Avenue
8th Street	Denver Avenue	St. Joseph Avenue
7th Street	Hickory Avenue	East City Limits
4th Street	Lexington Avenue	Minnesota Avenue
3rd Street	Lexington Avenue	Minnesota Avenue
2nd Street	Highland Road	North 6th Avenue
1st Street	Lexington Avenue	Colorado Avenue
South Street	Laird Avenue	Woodland Avenue
South Street	Burlington Avenue	East City Limits
A Street	Woodland Avenue	Burlington Avenue
D Street	Pine Avenue	Elm Avenue
D Street	Woodland Avenue	Baltimore Avenue
E Street	Baltimore Avenue	Pine Avenue
F Street	Franklin Avenue	Wabash Avenue
H Street	Franklin Avenue	Wabash Avenue

NORTH/SOUTH ROUTES

Street	From	To
Adams Central Road	250' S of 12 th Street	North City Limits
Highland Road	BNRR Tracks	North City Limits of 12th Street
Sycamore Avenue	12th Street	7th Street
Brentwood Avenue	12th Street	Park Lane Drive
Marion Road	BNRR Tracks	12th Street
Westridge Drive	14th Street	12th Street
Laird Avenue	South Street	14th Street
Crane Avenue	12th Street	18th Street
Woodland Avenue	South Street	D Street
Baltimore Avenue	Lochland Road	2nd Street
Baltimore Avenue	A Street	Highway 6
Franklin Avenue	E Street	Highway 6
Lexington Avenue	4th Street	1st Street
Osborne Drive West	Kansas Avenue	North City Limits
Burlington Avenue	UPRR Overpass	M Street
Highway 281	UPRR Overpass	North City Limits
Osborne Drive East	42nd Street	19th Street
Lincoln Avenue	4th Street	South Street
Hastings Avenue	14th Street	12th Street
Hastings Avenue	4th Street	South Street
Hastings Avenue	H Street	Highway 6
Denver Avenue	9th Street	7th Street
Denver Avenue	4th Street	South Street
St. Joseph Avenue	9th Street	8th Street
St. Joseph Avenue	4th Street	1st Street
Kansas Avenue	4th Street	1st Street
Kansas Avenue	7th Street	9th Street
Colorado Avenue	4th Street	South Street
Minnesota Avenue	4th Street	2nd Street
Wabash Avenue	E Street	South City Limits

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East Side Boulevard	14th Street	2nd Street
Pine Avenue	D Street	E Street
Turner Avenue	9th Street	7th Street
Elm Avenue	26 th Street	9th Street
Elm Avenue	7th Street	D Street
6th Avenue	12th Street	2nd Street
Lakepark Lane	North Shore Drive	33rd Street

The City Engineer shall place appropriate signs, marks, lines, signals or other traffic control devices indicating the existence of such snow emergency routes. The designation of any street, highway or portion thereof as a snow emergency route shall in no way affect any previous designation of that street or highway as an arterial or other road designation. A map of the City showing which streets or roads are currently designated as snow emergency routes shall be kept and maintained in the office of the City Engineer available for public inspection.

(Code 1973, 21-100; Ord. No. 2366, 3443-11/94, 3609-11/97, 3835-10/2001, 3985-11/2004 and 4234-11/2009)

15-503. Announcement and termination of snow emergencies.

(1) The Mayor shall cause each declaration of a snow emergency made pursuant to this Article to be publicly announced by means of broadcast or telecast from broadcasting stations with a normal operating range covering the City, and such declaration may be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Mayor, including the time it became or will become effective, and shall specify the streets or areas affected.

(2) Whenever the Mayor shall find that some or all of the conditions which gave rise to a parking prohibition placed in effect pursuant to the provisions of this Article no longer exist, he or she may declare the prohibition terminated in whole or in part, effective immediately upon an announcement or at a later specified time.

(Code 1973, 21-101; Ord. No. 2366 and 3443-11/94)

15-504. Prohibition of parking on snow emergency routes.

Whenever the Mayor shall find, on the basis of falling snow, sleet or freezing rain, or on the basis of an official forecast by the U.S. Weather Bureau of snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on City snow emergency routes be prohibited or restricted for snow plowing and other purposes, the Mayor may place into effect a parking prohibition on all snow emergency routes by declaring that emergency conditions exist. In such declaration of emergency conditions, the Mayor shall state the time that the emergency shall be in effect and from the time so designated, all parking of vehicles on snow emergency routes shall be prohibited. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route. Once in effect, the parking prohibition imposed under this Section shall remain in effect until terminated by declaration of Mayor. However, nothing in this Section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

(Code 1973, 21-102; Ord. No. 2366 and 3443-11/94)

15-505. Prohibition of parking on residential streets.

Whenever the Mayor shall find on the basis of accumulated snow that conditions make it necessary that parking on residential streets be prohibited or restricted for snow plowing and other purposes, he or she may put into effect a parking prohibition on parts of or on all residential streets by declaring that parking be prohibited on one side of the residential streets, designating either the odd or even address numbered side, at the Mayor's discretion. In such declaration, the Mayor shall state the date and time on which such parking prohibition shall take effect. The prohibition shall remain in effect until terminated by announcement of the Mayor, who may then declare that there shall be in effect a parking prohibition on the opposite side of those residential streets designated above, which prohibition shall remain in effect until terminated by announcement of the Mayor.

(Code 1973, 21-103; Ord. No. 2366 and 3443-11/94)

15-506. Operation of motor vehicles generally.

Whenever an emergency has been declared pursuant to Section 15-503, no person operating a motor vehicle on a snow emergency route shall allow such vehicle to become stalled or stuck.

(Code 1973, 21-104; Ord. No. 2366)

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15-507. Stalled vehicle on snow emergency route.

Whenever a motor vehicle becomes stalled for any reason, whether or not in violation of this Article, on any snow emergency route on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route, either onto the nearest cross street which is not a snow emergency route, or other appropriate location. No person shall abandon or leave his vehicle in the roadway of a snow emergency route, except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station or other place of assistance and return without delay. (Code 1973, 21-105; Ord. No. 2366)

15-508. Effect of article on chapter.

Any provision of this Article which becomes effective by declaration of the Mayor upon the occurrence of a snow emergency, while temporarily in effect, shall take precedence over other conflicting provisions of law normally in effect; except, that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles or emergency traffic directions by a police officer. (Code 1973, 21-106; Ord. No. 2366 and 3443-11/94)

15-509. Removal of stalled or parked vehicles.

Members of the Police Department are hereby authorized to remove or have removed a vehicle from a street when:

(1) The vehicle is parked on a snow emergency route on which a parking prohibition is in effect.

(2) The vehicle is stalled on a snow emergency route on which there is a parking prohibition in effect and the person who is operating the vehicle does not appear to be removing it in accordance with the provisions of this Chapter.

(3) The vehicle is parked on any street in violation of any parking prohibition or provision of law contained in this Chapter and is interfering or about to interfere with snow removal operations. (Code 1973, 21-107; Ord. No. 2366 and 3443-11/94)

15-510. Penalties.

Any violator of the provisions of Chapter 15, Article V of the City Code appearing at the Police Department and desiring to plead guilty or no contest and waive court appearance shall present the official police tag and pay the Police Department a penalty in an amount as set forth in the most recent Council fee resolution. The violator shall have this privilege until ten (10) days have elapsed after the issuance of the ticket. After that time the fine for the parking violation shall increase to an increased penalty in an amount as set forth in the most recent Council fee resolution, which may be paid until such time as a complaint is filed in County Court. If the violator fails to pay the appropriate fine within thirty (30) days after issuance of the parking ticket, the City Attorney may then file a complaint against said violator in County Court. The City Attorney shall notify the violator of the filing of the complaint by serving a copy upon the violator by mailing, or any other means reasonably calculated to give the violator notice. Any such fine shall be in addition to any costs incurred by such person in connection with having had his or her vehicle towed or otherwise removed under the authority of the provisions of this Article. (Ord. No. 3443-11/94)

Article VI. Equipment.

15-601. Lights, brakes, horns, etc.

Every motor vehicle, while in use on the streets, alleys or public highways of the City, shall be equipped with efficient brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, and shall be further equipped with a good and sufficient horn in good working order or other efficient signal devices and shall have from one-half hour after sunset until one-half hour before sunrise, two or more whitish lights on the front thereof, one on each side, which lights and all other lighting devices, including tail light, used on such vehicle, shall be in compliance with the laws of the state. No person shall operate any motor or other vehicle which is equipped with an electric light or lights that give off light which confuses travelers or pedestrians on streets or crosswalks within the City. Every motor vehicle having a width of eighty inches or more shall display clearance lights as required by the laws of the State. All vehicle brakes shall be maintained in good working order; provided, that motorcycles

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need be equipped with only one brake. All horns on motor vehicles shall be capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet; provided, that no vehicle, except as herein provided, shall be equipped with nor shall any person use upon a vehicle any siren, exhaust, compression or spark plug whistle or use a horn otherwise than as a reasonable warning; nor shall any person use any horn or warning device upon a vehicle to make any unnecessary or unreasonably loud or harsh sound; and provided further, that every police and fire department and fire patrol vehicle, every ambulance or other authorized emergency vehicle used for emergency calls shall be equipped with a bell, siren or exhaust whistle of a type approved by the Mayor and Council.

(Code 1973, 21-108)

Reference: For state law as to brakes, see Neb. Rev. Stat. 1943, Section 39-6,134. As to horns, see Neb. Rev. Stat. 1943, Section 39-6,135. As to lights, see Neb. Rev. Stat. 1943, Sections 39-6,138 to 39-6,147.

15-602. Motorcycle lights.

No person shall ride a motorcycle upon the streets, alleys or highways of this City, from one-half hour after sunset to one-half hour before sunrise, unless the same shall be equipped with at least one and not more than two head lamps plainly visible from the front and with a lamp on the rear exhibiting a red light visible under normal atmospheric conditions from a distance of at least five hundred feet to the rear thereof; provided, that such lamps shall comply with the requirements and limitations of the statutes of the State.

(Code 1973, 21-109)

Reference: For state law as to motorcycle lights, see Neb. Rev. Stat. 1943, Section 39-6,138.

15-603. Rear view mirrors; obstructing windshields; windshield wipers.

No person shall drive on a street any motor vehicle when the vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the street to the rear by looking backward from the driver's position, unless such vehicle is equipped with a mirror so located as to reflect to the driver a view of the street for a distance of at least two hundred feet to the rear of such vehicle.

It shall be unlawful for any person to drive upon a street, any vehicle with a sign, poster or other nontransparent material upon the front windshield, side wings or side or rear windows of such motor vehicle other than a certificate or other paper required to be so displayed by law.

Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

(Code 1973, 21-110)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Sections 39-6,136.

15-604. Studded tires; use of tire chains.

No tire on a vehicle moved on a highway shall have on its periphery any clock, stud, flange, cleat or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire; except, that (1) this prohibition shall not apply to pneumatic tires with metal or metal-type studs not exceeding five-sixteenths of an inch in diameter inclusive of the stud-casing with an average protrusion beyond the tread surface of not more than seven sixty-fourths of an inch between November 1 and March 15; provided, that school buses, mail carrier vehicles and emergency vehicles shall be permitted to use metal or metal-type studs at any time during the year; and (2) it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway; and (3) it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other condition tending to cause a vehicle to slide or skid.

(Code 1973, 21-111)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-6,131.

15-605. License plates to be kept clean.

The license plates required on every motor vehicle by laws of the State, or by the laws of any other state while such vehicle is operated within the City shall be kept clean at all times; shall be kept clear and distinct and free from grease, dust or other blurring matter so that they shall be plainly visible at all times during

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daylight and under artificial light in the nighttime, and shall be attached in such manner as to be clearly readable at a distance of one hundred feet and under no circumstances shall they be obstructed by any portion of the vehicle.

(Code 1973, 21-112)

15-606. Dragging rope, chain, etc.

No person shall permit any rope, strap, chain or other Article to drag behind any vehicle while in use on the streets, except persons operating vehicles transporting gasoline, benzine or other inflammable materials.

(Code 1973, 21-113)

15-607. Mufflers.

Every motor vehicle operated within this City shall be provided with a muffler in good working order and in constant operation to prevent excessive or unusual noise. It shall be unlawful to use a muffler cut-out on any motor vehicle upon any street; Provided, that the provisions of this Section shall not apply to authorized emergency vehicles.

(Code 1973, 21-114)

Reference: For similar state law, see Neb. Rev. Stat. 1943, Section 39-6,137.

Article VII. Automobile Pound.

15-701. Impounding vehicles -- Fee for release.

Whenever any vehicle is found by a Police Officer parked or left standing in the streets, alleys, City owned parking lots, public ways or parking facilities or other public places of the City, and which vehicle has previously been in violation of, or which is at present in violation of, the ordinances of the City, the Police Officer may then cause said vehicle to be removed and conveyed by means of towing, or otherwise, to an appropriate place of storage, as designated by the Chief of Police. Thereupon the vehicle shall not be discharged or removed from the place of storage except upon payment by the owner, driver or operator of the vehicle to the person storing the vehicle, of a fee as set forth in the most recent Council fee resolution, plus a storage fee as set forth in the most recent Council fee resolution, commencing forty-eight (48) hours after the vehicle has been in storage. Upon request, it shall be the duty of the Chief of Police or his authorized representative to inform the owner or driver of the nature and circumstances of the violation on account of which a vehicle was impounded. In case the owner or driver of any vehicle so impounded executes an affidavit denying the facts upon which the impounding of the vehicle has been based, and protesting the payment of the impounding and storage fee, there shall be given him by the Chief of Police or his authorized representative, a receipt for the same marked "Paid Under Protest"; but in such case, it shall thereupon be the duty of the Chief of Police to forthwith make complaint in conformity with the City Code. If such person is found not guilty by the court upon such charges, it shall be the duty of the person in charge of the pound to refund to such person the fees so paid under protest.

(Code 1973, 21-122; Ord. Nos. 2629 and 2793)