

TITLE 6

MOTOR VEHICLES AND TRAFFIC

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CHAPTER 1

TRAFFIC CODE; GENERAL PROVISIONS

SECTION:

- 6-1-1: Traffic Code Adopted By Reference
- 6-1-2: Prima Facie Speed; Designated Streets
- 6-1-3: Parking Regulations; Generally
- 6-1-4: Oversize Truck Parking

6-1-1: **TRAFFIC CODE ADOPTED BY REFERENCE:** Except insofar as the application thereof is clearly impractical or inappropriate, in view of the context of purposes or penalty as provided, all of the definitions, requirements, regulations, prohibitions, provisions and sections of the Utah traffic code¹, as amended, are hereby adopted by the city. Any and all violations thereof shall be considered violations of this chapter, and each such violation shall subject the violator thereof to penalty provisions under this chapter if proceeded hereunder. (2005 Code)

6-1-2: **PRIMA FACIE SPEED; DESIGNATED STREETS:**

- A. Streets With Signs: When appropriate street signs giving notice of the maximum permitted speed thereon are erected, the prima facie speed limits designated upon said signs shall apply to the appropriate streets or portions of streets so posted.
- B. Streets Not Posted: Unless otherwise provided in this chapter or in any other ordinance of the city, the prima facie speed limits on the streets of the city shall be twenty (20) miles per hour. (1980 Code § 11-323; amd. 2005 Code)

6-1-3: **PARKING REGULATIONS; GENERALLY:**

- A. Signs; Erection: The city council may authorize or direct any person employed by the city to erect or install any sign or traffic control

1. UCA title 41.

device required to enforce the provisions of this chapter. (1980 Code § 11-342)

B. Blocking Streets Or Highways: In addition to the parking provisions contained in the Utah traffic code, as adopted by the city, it shall be unlawful for any person to:

1. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.

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

3. Wilfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway. (1980 Code § 11-341; amd. 2005 Code)

C. Unlawful Parking:

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

2. **Vehicles For Sale:** It shall be unlawful to park any vehicle on any street for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street.

3. **Loading Zone:** When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

4. **Parking Prohibited:** It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles, when properly posted, to park any motor vehicle on any street in violation of the posted restrictions.

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

6. **Cab Stands; Bus Stands:** No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone.

7. **Time Limit; Impoundment:** It shall be an infraction for any person to park or leave standing on any public road, street, alley or city property any motor vehicle for forty eight (48) or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the chief of police. For purposes of impoundment and removal, the chief of police may impound and remove any motor vehicle which reasonably appears to have remained unmoved for forty eight (48) consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle. (1980 Code § 11-344)

D. Parking During Snow Removal; Penalty:

1. It shall be unlawful for any person or the owner of any vehicle to park a motor vehicle, travel trailer, horse trailer, utility trailer or other like vehicle on any street in the city between November 1 of each year and April 1 of the following year, between the hours of eleven o'clock (11:00) P.M. and eight o'clock (8:00) A.M.

2. Any person violating, causing or permitting the violation of any provisions of this subsection shall be guilty of a class B misdemeanor and shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 04-01, 1-10-2004; amd. 2005 Code)

6-1-4: **OVERSIZE TRUCK PARKING:**

A. Title: This section shall be known as *THE OVERSIZE TRUCK ORDINANCE OF EAST CARBON CITY*.

B. Definitions: As used in this section, the following words and terms shall have the meanings ascribed to them in this subsection:

PUBLIC STREET: Any street, road or public way, title to which is held by East Carbon City in fee or as a right of way, and which is used for vehicular traffic.

TO PARK: Causing a vehicle to stand unattended for any amount of time, or to stand attended for five (5) minutes within thirty feet (30') of the same point, or to permit a vehicle so to stand when it is within one's power to prevent it from so standing. In determining whether a vehicle is parked, it is immaterial whether or not its motor is running. A vehicle is attended when its driver is inside it or within twenty feet (20') of it.

TRUCK: A privately owned motor vehicle licensed for more than eighteen thousand (18,000) pounds gross weight, or with a rated capacity of two (2) tons or more, or any vehicle carrying more than one hundred (100) gallons of flammable liquid or more than five (5) pounds of dynamite or other explosive of comparable blasting power, or more than fifty (50) gallons or fifty (50) pounds of highly corrosive freight.

C. Truck Parking:

1. General Prohibition: No truck shall be parked or stored anywhere within the city, except as permitted by this section. (Ord. 1-91, 3-26-1992)

a. The parking of large trucks, generally of the tractor, semitrailer type will be in areas designated as appropriate by the city council and/or the police department. These areas may change as various development occurs within the city.

b. The tractor portion only of tractor trailer rigs may be driven to and parked on the private property of the resident operation. This parking must be completely off street with no intrusion upon adjacent properties. In the event of damage to the curb or sidewalk, or water meter, or any city property, repairs shall be made by the property owner at the owner's sole expense and shall include adequate reinforcement to prevent future damage. Repairs must be made within sixty (60) days and approved by a designated representative of the city, i.e., building inspector, mayor, city council. (Ord. 97-1, 8-27-1997)

2. Loading Or Unloading: A truck may be parked on a public street for no longer than two (2) hours for the purposes of loading or unloading cargo on or in said truck.

3. Emergency: A truck may be parked so as not to create a safety hazard or obstruct the flow of traffic if such truck is unable to travel or travel safely because of unforeseen circumstances beyond the driver's control, such as inclement weather or unanticipated equipment failure.

4. Commercial: A truck may park on private property in a commercial zone (as set forth in the zoning title), or on a public street in such a zone unless a truck parked on a public street is parked within thirty feet (30') of an intersection with any public or private road, street, alley, driveway or other site of vehicular access to the public street on which it is parked.

D. Truck Routes:

1. Designated; Temporary:

a. The following public streets are designated truck routes:

State Route 123
State Route 124
Sunnyside Co-generation 123

b. The mayor may, in his discretion, in writing, designate for temporary use additional truck routes for use during a period not exceeding thirty (30) days, when road repairs or other obstructions block any of the above established truck routes; provided, that the designation of the additional temporary truck route is reported to the city council at its next regularly scheduled meeting.

2. **General Prohibition:** No truck shall move upon any public street not designated a truck route, except as permitted in this section.

3. **Subdivision Construction:** A truck may move upon any public street when such movement is necessary to arrive at the site of construction of a new subdivision; provided, that the subdivision has received preliminary plat approval from the city.

4. **Construction Of Residence Or Other Structure:** A truck may move upon any public street when such movement is necessary to arrive at the site of construction of a new structure; provided, that the new residence or other structure has received a building permit from the city.

5. **Improvements To Real Property:**

a. A truck may move upon any public street when such movement is necessary to provide improvements to real property; provided, that no more than five (5) truck loads be transported to the property in a thirty (30) day period.

b. The mayor may, at his discretion, in writing, designate for temporary use an additional truck route for use during a period not to exceed thirty (30) days, when such truck movement is necessary to provide improvements to real property; provided, that the truck owner agrees to hold harmless the city from any damage or expense incurred by the city from the use of the owner's trucks on the streets of the city comprising the temporary truck route; and provided, that the designation is reported to the city council at its next regularly scheduled meeting.

6. **Pick Up And Delivery:** A truck may move upon any public street when such movement is necessary to pick up or deliver freight to or from locations not situated along a designated truck route.

E. **Signs:** Signs with the words "truck route" shall be posted on public streets designated truck routes at the point where such routes enter the city. (Ord. 1-91, 3-26-1992)

F. **Penalty:** Any person, firm or corporation violating any of the provisions of this section shall be guilty of a class C misdemeanor and, upon conviction thereof, subject to penalty as provided in section 1-4-1 of this code. (Ord. 1-91, 3-26-1992; amd. 2005 Code)

CHAPTER 2

OFF HIGHWAY VEHICLES

SECTION:

- 6-2-1: Defined
6-2-2: Compliance With Traffic Laws
6-2-3: Operating Regulations
6-2-4: Penalty

6-2-1: **DEFINED:** "Off highway vehicle" (OHV) shall mean any all terrain type vehicles fifty inches (50") or less in width, having an unladen dry weight of seven hundred (700) pounds or less, having a seat designed to be straddled by the operator, and being designed for or capable of travel on unimproved terrain, or which are otherwise not legal for operation on highways. (Ord. 03-02, 9-23-2003)

6-2-2: **COMPLIANCE WITH TRAFFIC LAWS:** Any person operating an off highway vehicle is subject to all the provisions of Utah Code Annotated title 41, chapter 6, as amended, and this chapter. (Ord. 03-02, 9-23-2003)

6-2-3: **OPERATING REGULATIONS:**

- A. Operation of OHVs on city streets shall be limited to travel by the most direct route to the trail head or approved OHV riding area, either from the operator's residence or from overnight accommodations.
- B. Use of OHVs as a general mode of transportation within the city limits is prohibited.
- C. Operating an OHV on highways is prohibited; provided, that:
1. Crossing at the intersection of Highway 123 and Columbia Drive is permitted;

2. Crossing Highway 123 shall be permitted, but at right angles only. (Ord. 03-02, 9-23-2003)

- D. The maximum speed limit for an OHV shall be twenty (20) miles per hour. (Ord. 03-02, 9-23-2003; amd. 2005 Code)
- E. Only one person shall be permitted to ride any single OHV.
- F. The following restrictions shall apply according to the age of the operator:
1. No child under eight (8) years of age shall be allowed to operate an OHV on city streets.
 2. Children between the ages of eight (8) and sixteen (16) must have in their possession an OHV education certificate issued by the state division of parks and recreation.
 3. Children under the age of sixteen (16) must be accompanied by an adult in possession of a valid driver's license, and shall remain within fifty feet (50') of that person at all times.
 4. All OHV operators over the age of sixteen (16) must be in possession of a valid driver's license.
 5. All riders under eighteen (18) years of age must wear a properly fitted safety regulated helmet. (Ord. 03-02, 9-23-2003)

6-2-4: **PENALTY:** Violations of this chapter are a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code. (Ord. 02-01, 3-12-2002; amd. 2005 Code)