

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 4

AN ORDINANCE

To add to the Code of Ordinances of the City of Lookout Mountain, Georgia, provisions relating to the operation of vehicles; equipment; stopping, standing and parking in the city; signs, signals and markers; parades and related matters.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia and it is hereby ordained:

Section 1. The following Chapter is herewith added to the Code of Ordinances of the City of Lookout Mountain, Georgia:

CHAPTER 3

TRAFFIC

ARTICLE I. IN GENERAL

Sec. 3-1. Definitions.

In the interpretation of this chapter, the following words and phrases, unless otherwise provided or unless the context shows another sense to be intended, shall be held to have the meanings hereinafter stated:

(1) Alley. A narrow passageway usually intersecting a block, running parallel to the thoroughfare bounding the city block, designed for public use, especially to give access to the rear of the buildings facing main thoroughfares.

(2) Authorized emergency vehicles. Vehicles of the fire department, fire patrol, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations or others as are designated or authorized by the Chief of Police of the city.

(3) Crosswalk. That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway

distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(4) Driver. Every person who drives, or is in actual physical control of a vehicle.

(5) Intersection. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of the two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(6) Motor vehicle. Every vehicle which is self-propelled but not operated upon rails.

(7) Official time standard. Whenever certain hours are named herein, they shall mean standard time or daylight time as may be in current use in the city.

(8) Official traffic-control devices. All signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(9) Official traffic signals. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(10) Owner. Any person, firm, corporation or association holding title to a vehicle or having exclusive right to the use thereof for a period of more than thirty days.

(11) Park. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading and unloading.

(12) Pedestrian. Any person afoot.

(13) Police officer. Every officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(14) Private road or driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(15) Right-of-way. The right of a vehicle or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or he is moving in preference to another vehicle or pedestrian approaching from a different direction into its or his path.

(16) Roadway. That portion of a street improved, designed or ordinarily used for vehicular travel.

(17) Safety zone. The area or space officially set apart within a roadway for exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(18) Sidewalk. That portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(19) Standing. Any stopping of a vehicle whether occupied or not.

(20) Stop. When required by the provisions of this chapter, the complete cessation of movement.

(21) Stop or stopping. When prohibited by the provisions of this chapter, any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control sign or signal.

(22) Street or highway. The entire width between 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 purposes of vehicular traffic.

(23) Traffic. Pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street for purposes of travel.

(24) Trailer. Any vehicle without motive power, designed for carrying persons or property either partially or wholly on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks.

(25) Vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway except devices moved by human power or used exclusively upon stationary rails or tracks.

Whenever any words or phrases are used in this chapter which are not defined in this section or subsequent sections of this chapter, but are defined in the state vehicle laws, the state law shall be deemed to apply to such words and phrases.

Sec. 3-2. Authority of police, etc.

It shall be the duty of the police department of this city to enforce the provisions of this chapter. Officers of the police department are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this chapter; provided that, in the event of fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police or fire department may direct traffic, as conditions may require, notwithstanding the provisions of this chapter.

Sec. 3-3. Persons propelling pushcarts or riding animals to obey traffic regulations.

Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal shall be subject to the provisions of this chapter applicable to the operator of any vehicle, except those provisions of this chapter with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

Sec. 3-4. Application of chapter to bicycles.

Every person riding a bicycle shall be subject to the

provisions of this chapter, except those provisions which by their very nature can have no application.

Sec. 3-5. Removal of vehicles obstructing traffic.

Whenever an officer finds a vehicle unattended and such vehicle constitutes an obstruction to traffic, the officer shall provide for the removal of such vehicle to the nearest garage or other place of safety. The costs for such removal shall be assessed against the owner of the vehicle.

Sec. 3-6. Boarding or alighting from vehicles.

It shall be unlawful for any person to board or alight from any vehicle while such vehicle is in motion.

Sec. 3-7. Use of coasters, roller skates and similar devices restricted.

It shall be unlawful for any person upon roller skates, or riding in or by means of any coaster, toy vehicle, sled, or similar device, to go upon any roadway except while crossing a street on a crosswalk; provided that the chief of police may for recreation purposes make temporary exceptions to this requirement when there will be no substantial obstruction of traffic and proper supervision, warning signs and other safeguards will be provided.

Sec. 3-8. Clinging to moving vehicles.

It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to or attach himself or his vehicle to any other moving vehicle upon any roadway.

Sec. 3-9. Unlawful riding.

It shall be unlawful for any person to ride on any vehicle upon any portion thereof not designed or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or within truck bodies in space intended for merchandise.

Sec. 3-10. Spilling loads, etc.

No vehicle shall be driven or moved on any street or highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, flowing or otherwise escaping therefrom.

Sec. 3-11. Projecting loads.

No passenger-type vehicle shall be operated on any highway with any load carried thereon extending more than six inches beyond the line of the fenders on the left side of such vehicle.

Sec. 3-12. Stickers, etc., on windows, etc.

No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings, side or rear windows of such vehicle other than a certificate or other paper required to be so displayed by law, except that there may be in the lower right-hand corner of the windshield a sign or poster not to exceed four inches in height by six inches in width.

Sec. 3-13. Placing glass, etc., in streets.

It shall be unlawful for any person to place upon any part of a public highway, lane, road, street or alley, any tacks, bottles, wire, glass, nails or any other articles which may damage or injure any person, vehicle or animal traveling along or upon such public highway.

Sec. 3-14. Responsibility of parents, employers, etc.; duty of police.

Any parent, guardian, or other person, or employer, who has charge of, or control over, either or both, of any child, or employee under the age of seventeen years, and who knowingly and wilfully allows such child or employee to walk in a cross street, alley or highway or to operate any motor vehicle including

bicycles, motorcycles, and motor scooters, propelled by motor power over and upon the streets and public places within the city contrary to the ordinances of the city with regard to the restriction upon movements of pedestrians or the operations of motor vehicles upon the public streets and public places of the city and with regard to the restrictions thereof and the regulations thereof by city ordinances, shall be guilty of a violation of such ordinance.

Any policeman of the city failing to enforce the provisions of this section strictly shall be considered in default of his duty.

Sec. 3-15. Pedestrians-Crossing streets; right-of-way over certain vehicles.

Pedestrians shall cross the streets and highways of the city wherever possible only at intersections. They shall cross only at right angles. Pedestrians crossing highways or streets at intersections shall at all times have the right-of-way over vehicles making turns into the highways or streets being crossed by the pedestrians.

Sec. 3-16. Same-Use of highways; keeping to left.

Pedestrians shall not use the highways or streets, other than the sidewalk thereof, if any, for travel, except when necessary to do so because of the absence of sidewalks or side space reasonably suitable and passable for their use, in which case they shall keep as near as reasonably possible to the extreme left side or edge of the highways or streets.

Secs. 3-17 - 3-24. Reserved.

ARTICLE II. OPERATION OF VEHICLES

Sec. 3-25. Speed limits-Designated.

Except when otherwise marked:

(a) Streets generally. No person shall operate any motor vehicle upon the public streets or public places within the

corporate limits of the city at a speed greater than thirty-five miles per hour (35 m.p.h.), unless a greater or lesser speed limit has been designated.

(b) School zones. No motor vehicle shall be operated upon the city streets and public ways of travel between traffic signs marked "school zone" between the hours of 7:30 A.M. and 4:00 P.M. on week days from August 25th to May 31st at a speed greater than fifteen miles per hour (15 m.p.h.).

(c) Street crossings, intersections, etc. An operator shall reduce his speed at crossings or intersections of streets, on bridges, sharp curves and steep descents and when passing any animal being led on the street.

Sec. 3-26. Same-Exceptions to authorized emergency vehicles.

The speed limitations set forth in this chapter shall not apply to emergency vehicles when responding to emergency calls and when the drivers thereof sound audible signals by bell, siren or exhaust whistle. This provision shall not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

Sec. 3-27. Operation of motor vehicles-Without a license.

It shall be unlawful for any person to operate a motor vehicle in the city without an operator's or chauffeur's license as required by the laws of this state.

Every person holding such license shall be required at all times while operating a motor vehicle to carry such license upon his person or in his motor vehicle.

Sec. 3-28. Same-After suspension or revocation of license.

It shall be unlawful for any person whose operator's or chauffeur's license has been suspended or revoked to drive any motor vehicle upon the streets of the city while such license is suspended or revoked.

Sec. 3-29. Same-Without permission of owner.

It shall be unlawful to operate a motor vehicle upon any public street or highway, or any private way, private street or private property in the city, without the permission of the owner.

Sec. 3-30. Same-By minors.

No person shall operate a motor vehicle upon any public street or highway, or any private way, private street or private property in the city, whether as owner or operator of such vehicle, who is under the age specified by state law.

Sec. 3-31. Same-While intoxicated, etc.

It shall be unlawful for any person who is under the influence of any intoxicating beverage or narcotic drug or opiate to operate or be in actual physical control of any motor vehicle within the city.

Sec. 3-32. Impounding of motor vehicles.

When any officer has made an arrest of an offender against any section of this Code or any other ordinance of the city and such offender has in his possession any motor vehicle, including motor scooters, bicycles or any type vehicle driven by power, the arresting officer may have said vehicle impounded and removed from the streets or highways to a garage designated by the arresting officer and said vehicle shall be released upon the payment of a service charge for towing and storage. The payment of such service fee shall not release the owner, chauffeur, or driver of such vehicle from any penalty imposed for violation of the existing ordinances and rules of the city.

Sec. 3-33. Drag-racing, racing, etc., prohibited; defined; penalty.

(a) Racing or dragging or drag racing, or a drag race (as herein defined) by the use of motor vehicles within the corporate limits of the city is unlawful and is hereby prohibited within this city.

(b) It shall be unlawful for any person by himself, herself or in a contest with another to engage in dragging, in drag racing, in a drag race, or to meet at or to assemble at, or to be at any point, or place within this city for the purpose of engaging in dragging, drag racing, or in a drag race, or for aiding, abetting, or for taking any part in dragging, or a drag race, or for the purpose of witnessing, as a spectator, any dragging, drag racing, or drag race, or for remaining at any place, as a participant, or as a witness thereto after it would or should appear to an ordinary person from an ordinary inquiry in the exercise of ordinary care and inquiry that dragging, or drag racing, or a drag race was taking place, or was about to take place.

(c) As popularly designated and as herein referred to and as herein defined, "dragging" of a motor vehicle is the act and result of an act that happens, or occurs, when the operator or occupant of such vehicle, suddenly, unduly, and abruptly accelerates such vehicle, or with extraordinary power, forces unusual speed, or movement (forward or backward) of such vehicle within the shortest space and briefest time, contrary to the exercise of "ordinary care" operation, and use in operating and driving of motor vehicles, as the terms "ordinary" and "ordinary care" have been defined by the statutes and appellate court decisions of Georgia in regard to the performance of an act. For the purpose of this section, the term motor vehicle shall include automobiles, motor buses, tractors, motorcycles, motor bikes, motor bicycles, motor scooters and go-carts as such terms are commonly used and understood, or any vehicle that uses gasoline, kerosene, fuel oil, or a combination of such to propel same over the highways.

(d) For the purpose of this section whenever the drivers of two or more vehicles line up their vehicles abreast the other or otherwise, in a contest which requires each such driver upon a sign, or signal, to start moving the respective vehicles with a sudden, abrupt burst of speed by the respective drivers forcing the respective vehicles to accelerate speed suddenly with

maximum capacity for moving in a race contest between, or among, respective drivers of such vehicles, such act, or plan, shall constitute drag racing, or a drag race.

(e) For the purpose of this section whenever the drivers of two or more motor vehicles drive in a way, or manner, different from that as described in subsection (d), above, in which the fastest speed of any driver is an element, or factor in determining the winner in a driving, or speeding, contest, or in an automobile chase or race by different drivers for the fun, excitement or thrill, or for winning a driving contest of any kind whenever and wherever speed of the respective drivers, is an element or factor, in such contest, race, challenge, or game of driving within this city, such driving is hereby declared to be racing.

(f) Any person violating any of the terms of this section shall upon conviction, be given a fine not to exceed one hundred dollars (\$100.00), or by imprisonment in the city jail or Walker County jail not to exceed thirty (30) days, or by compulsory labor on the city streets, or other public works of this city not to exceed thirty (30) days; and, in addition thereto, the driver's license of the driver shall be revoked for a period not to exceed one year.

Sec. 3-34. Blocking intersections.

No driver shall enter an intersection or a marked cross-walk unless there is sufficient space on the other side of of the intersection or crosswalk to accommodate the vehicle that he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control indication to proceed.

Sec. 3-35. Overtaking and passing on right.

The operator of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

Sec. 3-36. Passing on either side.

The operator of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed pavement of sufficient width whenever such roadway has been divided into four or more clearly marked lanes for moving traffic, or whenever traffic is moving in two or more substantially continuous lines in the same direction, provided such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

Sec. 3-37. When crossing center line permitted.

No vehicle shall be driven to the left of the center or center line of the roadway in overtaking and passing traffic proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any traffic approaching from the opposite direction or any traffic overtaken.

Sec. 3-38. When crossing center line prohibited; exception.

No vehicle, in overtaking and passing traffic or at any other time, shall be driven to the left of the center or center line of the roadway under the following conditions:

(a) When approaching the crest of a grade or upon a curve in the highway, where the operator's view is obstructed within such a distance as to create a hazard in the event traffic might approach from the opposite direction.

(b) When approaching within one hundred feet of or traversing any intersection or bridge.

The foregoing limitations shall not apply upon a one-way roadway or upon a roadway where traffic is lawfully directed to be driven to the left side.

Sec. 3-39. Signals, by hand and arm; by mechanical devices.

An operator intending to start, to stop or to turn his vehicle to the left or right shall extend the hand and arm horizontally from and beyond the left side of the vehicle or shall indicate the direction of his turn by the use of a "turn indicator" signal which is a mechanical component of the vehicle.

Sec. 3-40. Driving through processions.

It shall be unlawful for the operator of any vehicle to drive between the vehicles comprising a funeral or other authorized procession while they are in motion, provided that such vehicles are conspicuously designated. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officer.

Sec. 3-41. Motorcycles-Operators to be properly seated; passengers in excess of seating capacity.

A person operating a motorcycle shall not ride elsewhere except upon the permanent and regular seat attached thereto, nor carry any other persons upon such motorcycle other than upon a firmly attached and regular seat thereon nor shall any person ride upon a motorcycle other than as above authorized, and no motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

Sec. 3-42. Same-Riding more than two abreast.

Persons riding motorcycles upon a roadway shall ride not more than two abreast.

Sec. 3-43. Limitations on turning around.

It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction on any street which has been designated by ordinance as a through street or to so turn a vehicle on any street unless such movement can be made in safety and without backing or otherwise interfering with other traffic.

Sec. 3-44. Backing vehicles.

Before backing, operators of vehicles shall give ample warning and while backing shall exercise vigilance not to injure persons or property on the street or highway.

Sec. 3-45. Driver's view to be unobstructed; interference with control of vehicle.

No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control of the vehicle.

Sec. 3-46. Driving on sidewalks.

The operator of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Sec. 3-47. Slow-moving vehicles.

Slow-moving vehicles shall at all times be operated as close to the right-hand side of the street as practicable.

Sec. 3-48. Rounding curves.

An operator in rounding curves shall reduce speed and shall keep his vehicle as far to the right of the street as reasonably possible.

Sec. 3-49. Meeting another vehicle.

An operator meeting another vehicle coming from the opposite direction on the same street shall turn to the right of the center of the street so as to pass without interference.

Sec. 3-50. Towing.

No vehicle shall tow more than one other vehicle, nor shall the connection between vehicles exceed sixteen feet in length.

Sec. 3-51. Duty to sound horn or other signaling device.

An operator of a motor vehicle or tractor shall sound his horn or other signaling device when approaching points on the streets where the view ahead is not clear, or where the view of the side of an intersecting street is obstructed; provided, that in no case at any time and place within the city shall such horn or other signaling device be used for making unnecessary, unusual, extraordinary or objectional noise, or be used to make any noise or sound not authorized by the provisions of this Code, any ordinance of the city or any applicable law.

Sec. 3-52. Driving over fire hose.

It shall be unlawful, without the consent of the fire department official in command, for any person to drive any vehicle over any fire hose that may be stretched upon the streets at any place in the city during the time that the fire department is engaged in fighting a fire in the city, or at any time while the fire hose may be stretched upon the streets of the city.

Sec. 3-53. Following vehicles, generally.

The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle, the traffic upon and the condition of the highway.

Sec. 3-54. Following fire apparatus; driving, etc., within block where apparatus is stopped.

It shall be unlawful for the operator of any vehicle, other than on official business to follow closer than five hundred feet of any fire apparatus traveling in response to a fire alarm, or to drive into or stop any vehicle within the block where fire apparatus has stopped in answer to a fire alarm unless directed so to do by a police officer.

Sec. 3-55. Right-of-way - At intersections.

An operator of a vehicle shall have the right-of-way over the operator of another vehicle who is approaching from the

left in an intersecting street but shall give the right-of-way to an operator of a vehicle approaching from the right on an intersecting street, except as otherwise provided in this chapter.

Sec. 3-56. Same-Entering highway from driveway, etc.

The operator of a vehicle about to enter or cross a highway from a private road, driveway, parking area, alley or building shall stop and yield the right-of-way to all traffic approaching on such highway.

Sec. 3-57. Same-Pedestrians at intersections.

The driver of any vehicle upon a street or highway within a business or residence district of the city shall yield the right-of-way to a pedestrian crossing such street or highway within any clearly marked crosswalk or any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic-control devices.

The drivers of vehicles entering, crossing or turning at intersections shall change their course, slow down or come to a complete stop if necessary to permit pedestrians to safely and expeditiously cross such intersection.

Sec. 3-58. Same-Emergency vehicles.

Upon the approach of an emergency vehicle, when the driver is giving audible signal by siren, exhaust, whistle or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to the edge or curb of the highway, clear of any intersection and shall stop and remain in such position until the emergency vehicle has passed.

This section shall not operate to relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons and property upon the streets.

Sec. 3-59. Accidents-Duties of operators.

In case of accident to any person or damage to any property upon a public street or highway in the city, due to the operation of a motor vehicle, tractor or trailer thereon, the operator of such vehicle shall immediately stop and, upon request of the person injured or sustaining damage thereby or of any other person present, give such person his name and address and if he is not the owner of such vehicle, then in addition the name and address of the owner thereof, and he shall render such further assistance as may be reasonable or necessary.

Sec. 3-60. Same-Reports.

The operator of any vehicle involved in an accident resulting in injuries or death to any person or property damage shall immediately summon the police of the city and remain at the scene of the accident until their arrival.

Sec. 3-61. Garage keeper to report damaged vehicles.

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet or shot shall report to the police of this city within twenty-four hours after such motor vehicle is received, giving the license number, the vehicle identification number, and the name and address of the owner of such vehicle.

Sec. 3-62. Driving on closed streets.

No persons shall drive upon, along or across a street or highway or any part thereof which has been closed and posted with appropriate signs, while in the process of construction, reconstruction or repair, by the authority having jurisdiction to close such highway.

Sec. 3-63. Stopping behind buses taking on or discharging passengers.

An operator of a vehicle shall bring the same to a full

stop not less than five feet from the rear of any passenger-carrying bus headed in the same direction, which has stopped for the purpose of taking on or discharging passengers and shall remain standing until such bus has taken on or discharged such passengers.

Sec. 3-64. Passing a vehicle which has stopped for pedestrian.

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Sec. 3-65. Driving wrong way on one-way street.

Upon a roadway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated.

Sec. 3-66. Obedience to stop signs.

No person shall drive any motor vehicle or tractor out of any street, alley or driveway on to any of the streets of the city where a stop sign has been placed without bringing such motor vehicle or tractor to a complete stop.

Secs. 3-67 - 3-71. Reserved.

ARTICLE III. EQUIPMENT

Sec. 3-72. Brakes.

Every motor vehicle, tractor and motorcycle while in use or operation upon the streets of the city, shall at all times be provided and equipped with efficient and serviceable brakes.

Sec. 3-73. Signal horn.

Every motor vehicle, tractor, and motorcycle, while in use or operation upon the streets of the city, shall at all times be provided and equipped with an efficient and serviceable signaling device, consisting of a horn, bell or other suitable device for producing an abrupt warning signal.

Sec. 3-74. Headlights; location, power and focus.

Every motor vehicle operated on the public streets or highways of the city shall be equipped with two front headlights located near the side extremities of the front, capable of revealing a person, vehicle or object at least five hundred feet ahead in the darkness, and so arranged that at no time will the beam from such lights create a blinding glare or interfere with the vision of the driver of any vehicle approaching within five hundred feet of such vehicle; provided, that every motorcycle shall have mounted on the front thereof at least one lamp of similar power and focus.

Sec. 3-75. Rear lights.

Every motor vehicle shall be equipped also with a rear light, red in color, and visible for at least two hundred feet in the darkness in the rear.

Every motor vehicle shall carry a lamp illuminating with white lights the rear registration plate of such vehicle so that the characters thereon shall be visible and distinguishable for a distance of at least fifty feet.

Sec. 3-76. Clearance lights for trucks.

All trucks of more than one and one-half ton capacity shall have clearance lights at each extremity in the front and clearance lights at each extremity in the rear. Where the cab of such truck is not as wide as the body the clearance must be placed at the widest extremity of the body, so as to clearly indicate the width of the truck to approaching traffic from either direction. Such lights shall not be of a glaring or blinding nature.

Sec. 3-77. Lighting of lamps required during certain periods.

When any motor vehicle is being operated on the public streets and highways of the city during the period from one-half hour after sunset to one-half hour before sunrise or at any time

when vision is restricted for any reason to less than five hundred feet along a public street or highway, the lights required by the provisions of this article shall be lighted.

Sec. 3-78. Use of auxiliary headlights.

Auxiliary headlights in front, except fog lights, must be extinguished when within five hundred feet of any vehicle ahead or any congested traffic area and must be kept extinguished until passing the approaching vehicle.

Sec. 3-79. Lighting or marking projecting loads.

All vehicles carrying poles or other objects which project more than five feet from the rear, shall, during the period of from one-half hour after sunset to one-half hour before sunrise, carry a red light at or near the rear end of the pole or other object so projecting. During the period of from one-half hour before sunrise to one-half hour after sunset vehicles shall carry a red flag or other red danger signal at or near the rear end of the pole or other object so projecting.

Sec. 3-80. Cutouts and defective mufflers.

An operator shall not use the cutout of a motor vehicle while on the streets of this city, or operate any motor vehicle with a defective exhaust muffler or without a muffler or in any other way so as to permit such motor vehicle to make objectionable noises on or near the streets of this city.

Sec. 3-81. Inspection of motor vehicles for improper equipment-
Authority of chief of police, etc.

The chief of police, the police officers of the city or any party or peace officer deputized or authorized by the chief of police is hereby authorized to inspect all motor vehicles using the public streets of the city.

Such inspection shall be for the purpose of determining whether any motor vehicle is improperly equipped in violation of

any law of this state, provision of this Code, ordinance of the city or rule of the police department pertaining to the proper and safe equipment of motor vehicles.

Sec. 3-82. Same-Procedure upon disclosure of defective equipment; refusal to permit inspection.

(a) Should the inspection of any motor vehicle as provided in the preceding section disclose improper equipment contrary to the provisions of this Code, ordinances of the city, any applicable law of the state or any applicable law or rule promulgated and established by the Georgia department of public safety, the inspecting officer shall list and itemize in writing, in duplicate, upon any form as may be adopted by the police department of the city, the faulty, unsafe and improper equipment. Such officer shall give a copy thereof to the person in charge of or operating the motor vehicle, and the operator or owner of such motor vehicle shall be required within forty-eight hours of such inspection and copy thereof to correct, have corrected and repaired all unsafe and improper parts and equipment of the motor vehicle, as listed, and submit reasonable proof of such correction and repairs thereof within forty-eight hours to the police department.

(b) It shall be unlawful for any person to refuse to permit any officer the right to check and to inspect his motor vehicle for the purpose of determining whether such vehicle is properly equipped according to the provisions of this article.

Secs. 3-83 - 3-88. Reserved.

ARTICLE IV. STOPPING, STANDING AND PARKING

DIVISION I. IN GENERAL

Sec. 3-89. Impounding of illegally parked vehicles; redemption.

Any motor vehicle parked at any place within the city where parking is prohibited by any existing ordinance of the city, or by approved traffic signs, and any such motor vehicle which has

been tagged for exceeding the parking limit as provided by ordinance of the city and which motor vehicle remains at the place where tagged for more than twenty-four hours after so being tagged may be impounded by any police officer, and a service charge of fifteen dollars shall be paid to the city before the vehicle is released from pound. The payment of such service fee shall not release the owner, chauffeur or driver of such vehicle from any penalties imposed for violation of existing traffic laws, ordinances and rules of the city.

Sec. 3-90. Parking prohibited at certain places.

No person shall stand or park a vehicle except when necessary to avoid conflict with other traffic or with the provisions of this chapter or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within five feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within ten feet of a crosswalk at an intersection.
- (7) Within thirty feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway.
- (8) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of the entrance when properly signposted.
- (9) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic.

- (10) Alongside any vehicle stopped or parked at the edge or curb of a street.
- (11) At any place where signs prohibit stopping.
- (12) Within one foot of another parked vehicle.
- (13) Upon any street, other than an alley, leaving less than ten feet of the width of the roadway for free movement of vehicular traffic, except that an operator may stop temporarily during the actual loading or unloading of passengers or material.

Sec. 3-91. Parking in alleys.

No driver, operator or person having charge of any motor vehicle, shall park the same in or along any alley in the city except for such time as may be necessary for the purpose of immediately taking on or discharging passengers or freight.

Sec. 3-92. Parking vehicle for sale prohibited.

It shall be unlawful for any person to park upon a street any vehicle displayed for sale.

Sec. 3-93. Unattended vehicles.

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

Sec. 3-94. Standing in street or alley for purpose of repairs.

No vehicle shall be left in any street, alley, sidewalk or public ground in such a manner as to obstruct the free use of the same for the purpose of being repaired, or for any other purpose except in case of unavoidable necessity, when the same shall be removed within a reasonable time.

Sec. 3-95. Within marked zones.

No person shall park any motor vehicle at any place where upon the curb at such place the police department has painted with yellow paint or where the police department has marked "No Parking".

Sec. 3-96. All night parking around square.

No person shall leave any automobile, buggy, wagon, carriage or other vehicle standing on any street of this city between the hours of 1:00 o'clock a.m. and 5:00 o'clock a.m. except as same may be permitted by the chief of police.

Sec. 3-97. Passenger curb loading zones.

No person shall stop, stand or park any vehicle, including bicycles and motorcycles, for any purpose, or for any period of time in any place or area marked as a passenger curb loading zone other than for the immediate, actual and expeditious loading or unloading of passengers for hire.

Secs. 3-98 - 3-101. Reserved.

ARTICLE V. SIGNS, SIGNALS AND MARKERS

Sec. 3-102. Erection of signs, signals, markers, etc.

The chief of police of the city shall have the authority to erect, retain and use traffic signs, stop signs, signals (including pedestrian lights), semaphores and stanchions in the streets of the city as directed by the city council.

It shall be unlawful for any person to fail to comply with the instructions displayed thereon, and it shall be unlawful for any person to damage or remove any such equipment without proper authority of the police department of the city.

Sec. 3-103. Obedience to traffic signs and signals.

It shall be unlawful for any operator of a vehicle of any kind to disobey the instructions of any traffic sign, stop sign or signal placed in accordance with the provisions of this

chapter, unless otherwise, such operator may be directed to do so by a police officer; and except as provided in section 3-104.

Sec. 3-104. Signs, etc., to be legible, etc.

No provision of this chapter for which signs are required shall be enforceable against an alleged violator, if, at the time and place of the alleged violation the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

Sec. 3-105. Emergency vehicles approaching stop signals.

The driver of any emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety to traffic but may proceed cautiously past such red or stop sign with due regard for the safety of all persons using the street or highway.

Sec. 3-106. Yield right-of-way intersection, defined; responsibility of driver at such intersection.

(a) Yield right-of-way sign, when required, means that the vehicle confronted with such a yield right-of-way sign gives way to all other vehicles approaching the intersection in the other travel lanes, but when no other vehicle is approaching may continue on into the intersection.

(b) When an intersection is designated as a "yield right-of-way" intersection, the driver of a vehicle approaching the "yield right-of-way" sign shall slow to a speed of not more than ten miles per hour (10 m.p.h.) and yield right-of-way to all vehicles approaching from the right or left on the intersecting roads or streets, which are so close as to constitute an immediate hazard. If a driver is involved in a collision at an intersection or interferes with the movement of other vehicles after driving past a "yield right-of-way" sign, such collision or interference shall be deemed prima facie evidence of the driver's failure to yield right-of-way.

Sec. 3-107. Interference with signs and signals prohibited.

It shall be unlawful for any person to wilfully deface, injure, dismantle, move, remove, obstruct, write on, place political or other stickers on or interfere with any official traffic sign or signal.

Sec. 3-108. Display of unauthorized signs and signals prohibited.

It shall be unlawful for any person to place or maintain or to 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 any official traffic signs or signal. Every such prohibited sign, signal or device is hereby declared to be a public nuisance, and the chief of police is hereby empowered and directed to remove same, or cause it to be removed, without notice.

Sec. 3-109. Chief of police authorized to designate crosswalks.

The chief of police is hereby authorized to establish and to designate and shall thereafter maintain, or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway and at such other places as he may deem necessary.

Sec. 3-110. Drivers to stop upon entering.

No person shall drive any vehicle, tractor or other means of transportation out of any street, alley or driveway onto any of the streets designated by the chief of police of the city in the preceding section as through streets without bringing such motor vehicle, tractor or other means of transportation to a complete stop.

Secs. 3-111 - 3-115. Reserved.

ARTICLE VI. PARADES

Sec. 3-116. Permit required.

It shall be unlawful to promote, organize, or hold, or to assist in organizing, or holding, or to take part or participate in, any parade or procession or other public demonstration in the public streets, or public ways of the city, other than a funeral procession, unless a permit therefor has been secured from the city council.

Sec. 3-117. Application, required information.

To secure such permit, written application shall be made to the city council setting forth the hour and date, the probable number of persons, vehicles, and animals which will be engaged in such parade, procession, or other public demonstration, the purpose for which it is to be held, or had, and the streets, or other public ways over, along, or in which it is desired to have or hold such parade, procession, or public demonstration.

Sec. 3-118. Power of council to grant or refuse permit, to regulate time and area affected.

The city council may grant, or refuse such application as a privilege permit, as it, in its judgment may determine whether the parade, procession, or other demonstration is or is not in the best interests, welfare, peace, safety, health, good order, morals, or conveniences of the citizens of the city and public; and if the application be granted, the city council reserves the right to set the hour, time limit, and streets and public ways wherein said parade, procession, or other public demonstration shall be had, moved, or held.

Section 2. Severability:

If any section, subsection, sentence, or clause in this Ordinance or of the Chapter of the City Code hereby adopted be adjudged invalid, such adjudication shall not affect the validity of the Ordinance or Code as a whole or of any section, subsection, sentence, or clause hereof or thereof not adjudged invalid.

Section 3. Part of Code of Ordinances:

It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 4. Effective Date:

This ordinance shall be effective ten days after its adoption and approval by at least three members of the Council of this City after two readings at least one week apart.

Approved on first reading on January 16, 1969.

Jesse B Sims
Member of City Council of Lookout Mountain, Ga.

Walter W. Patton, Jr.
Member of City Council of Lookout Mountain, Ga.

John E. Amos
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

Stenwood D. Dudley
Mayor of Lookout Mountain, Ga.

Approved and adopted on second reading on February 3, 1969.

Jesse B Sims
Member of City Council of Lookout Mountain, Ga.

Walter W. Patton, Jr.
Member of City Council of Lookout Mountain, Ga.

John E. Amos
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

Stenwood D. Dudley
Mayor of Lookout Mountain, Ga.

ATTEST:
Stanley Warner
City Clerk of Lookout Mountain, Ga.

(SEAL)

