

GENERAL ORDINANCE NO. 92-1149**AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCE NO'S 79-974A, AS AMENDED, AND 88-1095****THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:**

Section 1. Short Title. This ordinance may be cited as City of The Dalles Uniform Traffic Ordinance.

Section 2. Applicability of State Traffic Laws. Oregon Revised Statutes, Chapter 153, and the Oregon Vehicle Code, ORS Chapters 801 to 822, as now constituted, are adopted by reference. Violation of an adopted provision of those chapters is an offense against the City.

Section 3. Definitions. In addition to those definitions contained in the State of Oregon Vehicle Code, the following words or phrases, except where the context shall clearly indicate a different meaning, shall mean:

- A. Bus Stop. A space on the edge of a street designated by a sign, or a painted and stenciled curb, for use by buses loading and unloading passengers.
- B. City Manager. The duly appointed City Manager for the City of The Dalles or his or her authorized designee.
- C. Loading Zone. A space on the edge of a street designated by a sign, or a painted and stenciled curb, for the purpose of loading or unloading passengers or materials during specified hours of specified days.
- D. Motor Vehicle. Every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road building equipment, street cleaning equipment and any other vehicle capable of moving under its own power, notwithstanding the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.
- E. Person. A natural person, firm, partnership, association or corporation.
- F. Street. The terms "highway", "road", and "street" shall be considered synonymous, unless the context precludes such construction. "Street" includes alleys.
- G. Taxicab Stand. A space on the edge of a street designated by a sign for use by taxi cabs.

- H. Traffic Lane. That area of the street used for the movement of a single line of traffic.
- I. Vehicle. As used in subsequent sections of this ordinance, a vehicle includes bicycles.

Administration

Section 4. Powers of the Council.

- A. Subject to state laws, the City Council shall exercise all municipal traffic safety authority for the City, except those powers specifically and expressly delegated herein or by another ordinance.
- B. Powers of the Council shall include, but not be limited to:
 - 1. Designation of through streets.
 - 2. Designation of one-way streets.
 - 3. Designation of truck routes.
 - 4. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage.
 - 5. Authorization of greater maximum weights or lengths for vehicles using City streets than that specified by state law.
 - 6. Initiation of proceedings to change speed zones.
 - 7. Revision of speed limits in parks.
- C. The powers of the Council shall also include, but not be limited to, the establishment, maintenance, removal or alteration of the following classes of traffic control:
 - 1. Parking areas including the form of permissible parking, e.g., parallel or diagonal.
 - 2. Traffic Control signals.
 - 3. Bicycle lanes or paths and the traffic control for such facilities.

[Section 4, C amended by General Ordinance No. 97-1211, adopted by the City Council and approved by the Mayor November 24, 1997.]

Section 5. Duties of the City Manager. The City Manager shall exercise the following duties, in accordance with relevant state traffic laws:

- A. Installation, maintenance, removal and alteration of traffic control devices, excluding such devices which require mechanical or electrical operation. Installation of traffic control devices shall be based on the standards contained in the current edition of the “Oregon Manual on Uniform Traffic Control Devices for Streets and Highways”. [As amended by General Ordinance No. 97-1211, adopted by City Council and approved by the Mayor November 24, 1997.]
- B. Issue oversize or overweight vehicle permits.
- C. Temporarily block or close streets.
- D. Installation, maintenance, removal and alteration of the following classes of traffic control: [Subsection D, added by General Ordinance No. 97-1211, adopted by City Council and approved by the Mayor November 24, 1997.]
 1. Crosswalks, safety zones and traffic lanes.
 2. Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns, and the time when the prohibition applies.
 3. Loading zones and stops for vehicles.

Section 6. Review of Delegated Duties. Duties exercised by the City Manager shall be reported to the Council at its next regular meeting, immediately following their implementation, and the Council may reject or modify such action. This reporting requirement may be dispensed with when the Council so orders.

Section 7. Public Danger. Under conditions constituting a danger to the public, the City Manager may install temporary traffic control devices.

General Regulations

Section 8. Authority of Police and Fire Officers.

- A. It shall be the duty of police officers to enforce the provisions of this ordinance.

- B. In the event of a fire or other public emergency, officers of the police or fire department may direct traffic as conditions require, notwithstanding the provisions of this ordinance. Failure to obey the direction of any such officer shall be punishable as a violation of the ordinance.

Section 9. Crossing Private Property. No operator of a vehicle shall proceed from one street to another intersecting street by crossing private property. This provision shall not apply to the operator of a vehicle who stops on the property for the purpose of procuring or providing goods or services.

Section 10. Unlawful Riding.

- A. No operator shall permit a passenger to, and no passenger shall, ride upon a vehicle on a street or alley, except on a portion of the vehicle designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to a person riding within a truck body in space intended for merchandise.
- B. No person shall board or alight from a vehicle while the vehicle is in motion upon a street.

Section 11. Sleds or Skates on Streets.

- A. The use of rollerskates or in-line skates shall be governed by the provisions of subparagraph (C) of this section. No person shall use skis, toboggans, sleds, skateboards, or any such similar device under the following circumstances:
 - 1. For traveling on the streets within the city limits, at any time.
 - 2. For traveling upon any sidewalk, public parking lot, or other public property owned or controlled by the City during the hours of darkness, which shall be defined as the time between one-half hour after sunset until one-half hour before sunrise.
 - 3. For traveling on the streets, sidewalks, public parking lots, or other public property owned or controlled by the City within an area located within the Central Business Zone, described by the following boundaries, on both sides of the street:

First Street - from Liberty to Taylor

Second Street - from Lincoln to the centerline of the Boat Basin overpass at milepost 85

Third Street - from Lincoln to the centerline of the Boat Basin overpass at milepost 85

Fourth Street - from Lincoln to Madison

[Subsection 3 amended by Ordinance No. 10-1304, adopted June 14, 2010]

4. Traveling in a manner which endangers persons or property.
 5. For traveling upon that portion of Union Street, including the street and sidewalks within the public right-of-way, extending north from the Union Pacific Railroad tracks adjacent to First Street, to and through the Union Street Undercrossing, and including the walking, sitting, and wall areas within the promenade area of the Union Street Undercrossing, excluding the asphalt portion of the Riverfront Trail adjacent to the Union Street Undercrossing. [added by Ordinance 03-1250 adopted by City Council and approved by the Mayor December 8, 2004.]
 6. For traveling upon the center island of the roundabout located at East Second Street and Brewery Grade. [added by Ordinance No. 10-1304 adopted by City Council June 14, 2010.]
- B. Persons utilizing skis, toboggans, sleds, skateboards, or any such similar device, shall be considered pedestrians for purposes of this ordinance. Persons using such devices must yield the right of way to other pedestrians.
- C. Any person who uses rollerskates or in-line skates to travel upon a public way or street, or upon a sidewalk, shall comply with the rules and regulations for the operation of bicycles set forth in ORS 814.400 to 814.440, and 814.480, as now constituted. A violation of these statutory provisions shall be considered a violation of the City of The Dalles Uniform Traffic Ordinance.
1. No person shall use rollerskates or in-line skates for traveling, upon any public way or street, sidewalk, public parking lot, or other public property owned or controlled by the City during the hours of darkness, which shall be defined as the time between one-half hour after sunset until one-half hour before sunrise.

2. No person shall use rollerskates or in-line skates for traveling in a manner which endangers pedestrians, motor vehicles, or other persons or property.

Section 12. Damaging Sidewalks and Curbs.

- A. The operator of a motor vehicle shall not drive upon a sidewalk, walk or roadside planting strip, except to cross at a permanent or temporary driveway.
- B. No unauthorized person shall place dirt, wood or other material in a gutter or space next to the curb of a street with the intention of using it as a driveway.
- C. No person shall remove a portion of a curb, or move a motor vehicle or a device moved by a motor vehicle upon a curb or sidewalk without first obtaining authorization and posting bond, if required. A person who causes damage shall be responsible for the cost of repair.

Section 13. Removing Glass and Debris. A party to a vehicle accident or a person causing broken glass or other debris to be upon a street shall remove the glass and other debris from the street.

Section 14. Storage of Motor Vehicles on Streets. No person shall store or permit to be stored on a street or other public property, a motor vehicle or personal property for a period in excess of 24 hours. The City Council shall have the authority to allow for parking for a period exceeding 24 hours in certain designated public parking lots. Failure to move a motor vehicle or other personal property for 24 hours shall constitute prima facie evidence of storage of a motor vehicle. [As amended by Ordinance No. 95-1198, passed by City Council and approved by the Mayor September 11, 1995.]

Parking Regulations

Section 15. Method of Parking.

- A. No person shall stand or park a motor vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.
- B. Where parking spaces are designated on a street, no person shall stand or park a vehicle other than in the indicated direction and, within a single marked space, unless the size or shape of the vehicle makes compliance impossible.

- C. Within municipal parking lots or in places on the streets designated for other than parallel parking, no person shall stand or park a vehicle other than in the direction indicated by parking space markings and/or directional signs. Any vehicle so parked shall be located completely within the designated parking space. No part of the vehicle, or anything placed on or attached to the vehicle, shall project into adjacent parking spaces or the traveled portion of the right-of-way. No person shall back into an angled parking space.
- D. The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street shall have priority to park in that space and no vehicle operator shall attempt to interfere.
- E. Whenever the operator of a vehicle discovers that the vehicle is parked close to a building to which the fire department has been summoned, the operator shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officials.
- F. Whenever a person stops, or parks a vehicle upon a street or alley with a discernable incline, a vehicle facing down an incline shall have its steering wheels turned toward the closest edge of the roadway. A vehicle facing up the incline shall be parked with the steering wheels turned away from the curb, if a curb is present. If no curb is present, the wheels shall be turned toward the closest edge of the roadway.

Section 16. Prohibited Parking or Standing.

- A. No persons shall park or stand:
 - 1. A vehicle in violation of state motor vehicle laws or in violation of a lawfully erected parking limitation sign or marking.
- B. A person shall not:
 - 1. Park in such a manner as to interfere with the use of any other space marked for parking;
 - 2. Place, store, or pile goods or wares, merchandise or other material in any parking place, unless prior approval is received from the Chief of Police or the City Manager;
 - 3. Park in an exclusive, marked parking space appropriately designated under Section 22 of this ordinance;

4. Park at any place where curbs are painted yellow except as specifically permitted by an official traffic control sign provided for limited parking in the space adjacent to the yellow painted curb;
5. Park a vehicle in an alley, other than for the expeditious loading or unloading of persons or materials and in no case for a period in excess of 30 consecutive minutes in any one-hour period, and in such a manner as to not block or impede any other traffic traveling through the alley.
 - a. The provisions of Section 16 (B) (5) shall not apply to a motor vehicle which properly displays a parking permit issued under the provisions of General Ordinance No. 86-1078, Section 3 (b).
 - b. A delivery or service vehicle which is allowed to be parked in an alley under the provisions of Section 16 (B) (5) (a) shall be parked in such a manner as to not block or impede any other traffic traveling through the alley.

[Section 16 (B) (5) amended by Ordinance No. 96-1201, passed by City Council and approved by the Mayor March 11, 1996.]

6. Park a truck tractor or a truck trailer, as defined by the Oregon Vehicle Code, on a street between the hours of 9:00 p.m. and 7:00 a.m. on the following day in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation. [As amended by Ordinance No. 1188, passed by the Council and approved by the Mayor July 11, 1994.]
7. Park a vehicle upon a sidewalk, walk or roadside planting strip. [As amended by Ordinance No. 97-1211, passed by the Council and approved by the Mayor November 24, 1997.]

Section 17. Prohibited Parking. No driver or operator shall park and no owner shall allow a vehicle to be parked upon a street for the purpose of:

- A. Displaying the vehicle for sale.
- B. Repairing or servicing the vehicle, except temporary repairs necessitated by an emergency.
- C. Displaying advertising from the vehicle.

D. Selling merchandise from the vehicle, except when authorized.

Section 18. Use of Loading Zones. No person shall stand or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of persons or materials in a place designated as a loading zone when the hours applicable to that loading zone are in effect. When the hours applicable to the loading zone are in effect, the loading or unloading of materials shall not exceed the time limits posted. If no time limits are posted the use of the loading zone shall not exceed 30 consecutive minutes.

Section 19. Unsecured Vehicles. Whenever a police officer shall find a motor vehicle parked or standing without the driver or operator seated at the controls and with the ignition key in the vehicle, the officer is authorized to remove the key from the vehicle and to deliver the key to the person in charge of the police station. The officer shall leave sufficient notice on the vehicle to indicate where the keys may be reclaimed. No person shall leave a vehicle parked or standing within a street or alley without first setting the brakes of such vehicle and removing the keys. If the vehicle is equipped with an automatic transmission, the control lever of such transmission shall be placed in the "parked" position. Vehicles equipped with manual transmissions shall have the transmission in gear and clutch engaged.

Section 20. Standing or Parking of Buses and Taxicabs. The operator of a bus or taxicab shall not stand or park the vehicle upon a street in a business district at a place other than a bus stop or taxicab stand respectively, except that this provision shall not prevent the operator of a taxicab from temporarily stopping the cab outside a traffic lane while loading or unloading passengers.

Section 21. Restricted Use of Bus and Taxicab Stands. No person shall stand or park a vehicle other than a taxicab in a taxicab stand or bus stop except when the operator of a passenger vehicle may temporarily stop for the purpose of, and while actually engaged in, loading or unloading passengers, and when stopping does not interfere with the bus or taxicab waiting to enter or about to enter the restricted space.

Section 22. Exclusive Parking Permits. Persons may purchase exclusive parking permits, for an amount to be fixed by Resolution of the City Council, on a monthly or yearly basis, which will permit the exclusive use and marking of the parking space located in the City owned parking lots located between First Street and the alley between First and Second Streets, and between Washington Street and Laughlin Street.

Section 23. Lights on Parked Vehicles. No lights need be displayed upon a vehicle that is parked in accordance with this ordinance upon a street where there is sufficient light to reveal a person or object at a distance of at least 500 feet from the vehicle.

Section 24. Extension of Parking Time. Where maximum parking time limits are designated by this ordinance, movement of a vehicle within a block shall not extend the time limits for parking.

Section 25. Exemption. The provisions of this ordinance regulating the parking or standing of vehicles shall not apply to the vehicles of the City, county, state, or public utilities while necessarily in use for construction, repair work on a street, law enforcement, fire suppression, or a vehicle owned by the United States while in use for the collection, transportation or delivery of mail.

Section 26. Offenses Tried in Municipal Court. Offenses under this ordinance shall be tried in the Municipal Court as a violation and not as a crime, and as a violation there is no right to a jury trial or court-appointed counsel. Any person receiving a parking citation may plead “not guilty” thereto and request a hearing before the Court.

Section 27. Registration of Bicycles. The Chief of Police is authorized to conduct a program of voluntary bicycle registration in conformity with appropriate departmental regulations. Any program established shall conform with the following:

- A. Registration of bicycles operated within the City shall be voluntary.
- B. The bicycle being registered need not be presented at the police station.
- C. Registration fees shall be set by City Council by resolution.
- D. Registrations may be valid for a period not to exceed five (5) years.
- E. The police department shall maintain a list of all registered bicycles by registration number and serial number.
- F. The police department may request the registrant to mark or engrave an identifying number upon the frame and/or wheels of the bicycle.
- G. The police department shall not certify the safety, mechanical soundness, or compliance with equipment laws or regulations, of any bicycle.
- H. Bicycle dealers, retail merchants and The Dalles Crime Prevention Unit shall be authorized to act as registration agents.
- I. Registration applications shall include the name of the registrant, the registrant’s address and telephone number and a description of the bicycle by make, model, frame style, frame color, wheel diameter, identification number and such additional information as the Chief of Police shall deem appropriate.

- J. Registrants shall be responsible for keeping all registration information current. Failure to do so shall automatically cancel the registration.
- K. Registrations shall be transferable. Registrants shall notify the department upon sale, destruction or transfer of the bicycle.
- L. The registration program, if established, shall be for the identification of lost, stolen, abandoned or misplaced bicycles and major components only.
- M. A fee of \$2.00 may be charged owners of unregistered bicycles recovered or impounded.

Section 28. Bicycle Dealers. Every person engaged in the business of buying or selling bicycles shall maintain a record of every bicycle purchased or sold, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof and the license number, if any, found thereon.

Section 29. Impounding of Bicycles.

- A. No person shall leave a bicycle on private property without the consent of the person in charge or the owner thereof. A bicycle left on public property for a period in excess of 24 hours may be impounded by the police department. In addition to any citation issued, a bicycle parked in violation of this ordinance may be immediately impounded by the police department. If a bicycle impounded under this ordinance is licensed, or other means of determining its ownership exists, the police shall make reasonable efforts to notify the owner. No impoundment fee shall be charged to the owner of a stolen bicycle which has been impounded.
- B. A bicycle impounded under this ordinance, which remains unclaimed for a period of 30 days may be disposed of by the Chief of Police, or his designee, in the following manner:
 - 1. Sold at an auction with the proceeds to be deposited in the general fund.
 - 2. Retained for use of the City.
 - 3. Donated to a recognized charitable organization.
 - 4. Transferred to another governmental unit to meet a bona fide public need for transportation.

5. As the City Council may, by resolution, direct.
- C. The owner of any bicycle impounded under this ordinance may, within 30 days, apply to the Chief of Police, or his designee, to show good cause why the bicycle impounded should be released without the levy of an impoundment fee. Such application shall be in writing and state the grounds why the bicycle should be released. The Chief of Police or his designee shall approve or deny the request in writing. A bicycle owner dissatisfied with the determination may appeal it by filing a notice of appeal within five (5) days to the Municipal Court.
- D. Except as provided above, a fee of \$2.00 shall be charged to the owner if a bicycle impounded under this section.

Section 30. Bicycle Equipment. A bicycle operated upon the streets shall be equipped as required by state law, including lights and reflectors. In addition, a bicycle shall be equipped with a brake capable of sliding at least one tire when applied on a dry, level, clean pavement. No bicycle shall be equipped with a siren or whistle.

Pedestrians

Section 31. Pedestrians Must Use Crosswalks. No pedestrian shall cross a street other than within a crosswalk in blocks with marked crosswalks.

Section 32. Right Angles. A pedestrian shall not cross a street at a right angle, unless crossing within a crosswalk.

Funeral Processions and Parades

Section 33. Funeral Processions. A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable. The procession shall be accompanied by adequate escort vehicles for traffic control purposes. All persons operating a motor vehicle in a funeral procession shall comply with the provisions of the Oregon Vehicle Code, as now constituted. No permit is required for a funeral procession.

Section 34. Parade Permits Required. No person shall organize or participate in a parade that may disrupt or interfere with traffic without obtaining a permit from the City.

Section 35. Parade Permit Application.

- A. Application for parade permits shall be made to the Chief of Police at least seven (7) days prior to the intended date of the parade, unless the time is waived by the Chief of Police. Applications shall include the following information:

1. The name and address of the person responsible for the proposed parade.
 2. The date of the proposed parade.
 3. The desired route, including assembling points.
 4. The estimated number of persons, vehicles, and animals that will be participating in the parade.
- B. The application shall be signed by the person designated as chairperson.
- C. The Chief of Police shall issue a parade permit conditioned on the applicant's written agreement to comply with the terms of the permit unless the Chief of Police finds that one or more of the following conditions exist:
1. The time, route, and size of the parade will unreasonably disrupt the movement of other traffic.
 2. The parade is of a size or nature that requires the diversion of so great a number of police officers to properly police the line of movement and contiguous areas that allowing the parade would deny reasonable police protection to the City.
 3. The parade will interfere with another parade for which a permit has already been issued.
 4. Information contained in the application is found to be false or a material detail is omitted.
 5. The applicant refuses to agree to abide by or comply with all conditions of the permit.

Parking Citations and Owner Responsibility

Section 36. Citation on Illegally Parked Vehicle. Whenever a vehicle without an operator is observed parked in violation of a restriction imposed by this ordinance or state law, the officer observing the vehicle shall take its license number and any other information displayed on the vehicle, which may identify its owner and shall conspicuously affix to the vehicle a parking citation instructing the owner to answer to the charge at the place specified in the citation.

Section 37. Failure to Comply With Parking Citation Attached to Parked Vehicle. If the operator or owner does not respond to a parking citation affixed to a vehicle within five (5) working days, the municipal court may send a letter to the owner of the vehicle informing the owner or the operator of the violation and giving notice that if the citation is disregarded for a period of ten (10) days from the date of the citation:

- A. The fine will be doubled; and
- B. The vehicle is subject to impoundment and may be sold if not redeemed.

Section 38. Failure to Pay Fine Imposed.

- A. Whenever any person fails to pay any fine imposed by the municipal court for a violation of this ordinance, or whenever any person fails to make satisfactory arrangements for payment within ten (10) days of imposition of a fine, the municipal court shall send a pre-towing notice by letter to the person who has failed to pay the fine, and to the owner of the vehicle and any lessors or security interest holders who have an interest in the vehicle as shown in the records of the Oregon Motor Vehicle Division. The municipal court may order that the vehicle described in the citation be impounded, and that the vehicle not be released until all outstanding fines and charges, including towing, storage, and administrative fees, have been paid in full.
- B. Whenever a police officer observes a vehicle parked in violation of a provision of this ordinance or state law, if the vehicle has five or more unpaid violations outstanding against it, the officer may, in addition to issuing a citation, cause the vehicle to be impounded. An impounded vehicle shall not be released until all outstanding fines and charges have been paid.
- C. Whenever a vehicle is impounded pursuant to subparagraph (A) or (B), the municipal court or the police department, shall send a letter to the owner of the vehicle, and any lessors or security interest holders, as shown in the records of the Oregon Motor Vehicle Division. The notice shall comply with the provisions set forth in the Oregon Vehicle Code, as now constituted, and shall notify the owner, possessor, or person having an interest in the vehicle of a right to request a hearing before the Municipal Court, by filing the request within five (5) days from the mailing date of the notice.

Section 39. Owner Responsibility. The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except when the use of the vehicle during the period it was parked was without the owner's express, implied or apparent consent.

Section 40. Registered Owner Presumption. In prosecution of a vehicle owner charged with a violation of a restriction on parking, proof that the vehicle, at the time of violation, was registered to the defendant shall constitute a presumption that the defendant was then the owner in fact.

Impoundment and Penalties

Section 41. Impoundment of Vehicles.

- A. Definitions. For the purpose of applying the Abandoned Vehicle provisions of the Oregon Vehicle Code within the City of The Dalles, the following words or phrases shall mean:
1. Abandoned Vehicle. A vehicle left unoccupied and unclaimed or in a damaged or dismantled condition such that the vehicle is inoperable.
 2. Hazard or Obstruction to Traffic. Leaving a vehicle in a location or condition such as to constitute an immediate and continuous hazard to the safety of persons using the streets or alleys of the City. For example, and not by limitation, leaving:
 - a. Vehicles blocking public or private right-of-ways.
 - b. Vehicles with leaks in gas tanks.
 - c. Vehicles blocking fire hydrants.
 3. Hearings Officer. The Municipal Judge or the Municipal Court Judge Pro Tem.
- B. Fees. Storage fees and administrative fees shall be established by the City Council by resolution.
- C. Pursuant to ORS 801.040 and 819.140, as now constituted, the impoundment of an abandoned or a hazardous vehicle shall be governed by the provisions of the Oregon Vehicle Code, and by the procedures adopted by the City Police Department relating to impoundment of abandoned and hazardous vehicles.
- D. When a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended, the officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, even if the vehicle was parked by another or if

the vehicle was initially parked in a safe manner but subsequently became an obstruction or hazard.

- E. The impoundment of a vehicle will not preclude the issuance of a citation for a violation of a provision of this ordinance.
- F. Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.

Exceptions

Section 42. Emergency Vehicles. The provisions of this ordinance regulating the operation, parking and standing of vehicles, shall apply to authorized emergency vehicles, except as follows:

- A. A driver, when operating an emergency vehicle in an emergency, except when otherwise directed by a police officer or other authorized person, may park or stand, notwithstanding the provisions of this ordinance.
- B. A driver of a police vehicle or fire department engine, when operating such vehicle in an emergency, may disregard regulations governing turning in specified directions and operation as long as the driver does not endanger life or property.

The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of the driver's reckless disregard for the safety of others.

Section 43. Penalties. Violation of this ordinance is punishable by a fine not to exceed \$100.

General

Section 44. Severability Clause. If a portion of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

Section 45. Repeal. Ordinance No. 97-974A, as amended, and Ordinance No. 88-1095, are hereby repealed.

Section 46. Saving Clause. The repeal of any ordinance by Section 45 shall not preclude any action against a person who violated the ordinance prior to the effective date of this ordinance.

Section 47. Emergency. Whereas it is in the interest of public safety and welfare to revise the regulations controlling vehicular and pedestrian traffic, and to establish procedures for the impoundment of abandoned and hazardous vehicles which continue to pose a threat to the safety and welfare of the citizens of The Dalles; NOW, THEREFORE, an emergency is declared to exist, and this ordinance shall go into effect immediately upon its passage and approval.

Passed by the Council and approved by the Mayor July 6, 1992.