

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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§ 70.01 DEFINITIONS.

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

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

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

"BUSINESS DISTRICT." Any portion of any street between two consecutive intersections in which fifty percent (50%) or more of the frontage on either side of the street is used for business purposes.

"CROSSWALK." That portion of the roadway included within the extension of the sidewalk across any intersection, and such other portions of the roadway between two (2) intersections, as may be legally designated as crossing places and marked by stanchions, paint lines, or otherwise.

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

"INTERSECTION." That part of the public way embraced within the extensions of the street lines of two (2) or more streets which join at an angle whether or not one (1) such street crosses the other.

"OFFICIAL TRAFFIC-CONTROL DEVICES." All signs, signals, warnings, directions, markings, and devices placed or erected or maintained by

authority of the Chief of Police.

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

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

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

"PEDESTRIAN." Any person afoot.

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

"POLICE DEPARTMENT." The Police Department or other persons or agency authorized to perform the duties of § 70.03 or any other acts necessary to implement and enforce this traffic code.

"PUBLIC WAY." The entire width between property lines of every way, dedicated passway, or street side aside for public travel, except bridle paths and foot paths.

"REVERSE TURN." To turn a vehicle on any street in such a manner as to proceed in the opposite direction.

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

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

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

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

"STREET." Every public way, including alleys.

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

**"VEHICLE."** Every device in, on, or by which any person or property is or may be transported or drawn on any street except devices moved by human power or used exclusively on stationary rails or tracks. Includes all agencies for the transportation of persons or property over or upon the public highways of this city and all vehicles passing over or upon said highways, excepting road rollers, road graders, farm tractors, vehicles on which power shovels are mounted, such other construction equipment customarily used only on the site of construction and which is not practical for the transportation of persons or property upon the highways, such vehicles as travel exclusively upon rails, and such vehicles as are propelled by electric power obtained from overhead wires while being operated within any municipality or where said vehicles do not travel more than five (5) miles beyond the city limit.

§ 70.02 REQUIRED OBEDIENCE TO TRAFFIC DIRECTIONS.

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

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

(C) Every person propelling any pushcart or riding a bicycle or an animal on any roadway, and every person driving any animal on any roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions of this traffic code which by their very nature can have no application.  
Penalty, see § 70.99

§ 70.03 POWERS AND DUTIES OF POLICE DEPARTMENT.

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

§ 70.04 AUTHORITY FOR ENFORCEMENT.

Authority to direct and enforce all traffic regulations of this city in accordance with the provisions of this traffic code and to make

arrests for traffic violations is given to the Police Department, and, except in case of emergency, it shall be unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle, or any other signal.

Penalty, see § 70.99

§ 70.05 TEMPORARY REGULATIONS.

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

TRAFFIC-CONTROL DEVICES AND SIGNS

§ 70.15 SIGNAL LEGENDS AND DEFINITIONS.

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

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

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

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

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

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

(F) "Yield Right-of-Way": Vehicular traffic facing the "Yield Right-of-Way" sign shall bear the primary responsibility of safely entering the primary intersecting or merging right-of-way. All traffic facing the sign shall yield the right-of-way to all vehicles and pedestrians within such primary intersecting or merging right-of-way. No vehicle facing a "Yield Right-of-Way" sign shall enter the merging or intersecting right-of-way at a speed in excess of 15 miles per hour, except that this speed limit shall not apply to vehicles entering an expressway.

(G) Lane lights: When lane lights are installed over any street for the purpose of controlling the direction of flow of traffic, vehicular traffic shall move only in traffic lanes over which green arrows appear. However, when flashing yellow lights appear above a lane all left turns shall be made from that lane. Where red arrows appear above such lanes, vehicles shall not move against them. If flashing amber lights show above a lane, that lane shall be used only for passing and for left turns unless a sign at such place prohibits such turn. Penalty, see § 70.99

Statutory reference:

Traffic-control signals, see KRS 189.338

#### § 70.16 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.

The city shall establish and maintain all official traffic-control devices necessary within the city other than those established by the state on state controlled streets and highways. All traffic-control devices, including signs, shall be employed to indicate one particular warning or regulation, shall be uniform, and as far as possible shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications.

#### § 70.17 OBEDIENCE TO SIGNALS.

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

(B) Such sign, signal, marking, or barrier shall have the same authority as the personal direction of a police officer. Penalty, see § 70.99

#### § 70.18 INTERFERENCE WITH SIGNALS.

No person shall without authority attempt to or in fact alter, deface, injure, knock down, or remove any official control device or any railroad sign or signal, or any inscription, shield, or insignia thereon, or any part thereof. Penalty, see § 70.99

§ 70.19 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) It shall be unlawful for any person to place, maintain, or display on or in view of any street any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic device or railroad sign or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal bearing any commercial advertising. Nothing in this section shall be construed as restricting any public department or public utility of the city in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the city.

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

Penalty, see § 70.99

§ 70.20 DEVICE TO BE LEGIBLE AND IN PROPER POSITION.

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

§ 70.21 TEMPORARY DISREGARD OF DEVICES BY POLICE OFFICERS.

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

§ 70.99 GENERAL PENALTY.

Whoever violates any provision of this traffic code where no other penalty is specifically provided shall be guilty of a violation and shall be fined not less than twenty dollars (\$20.00) nor more than two hundred fifty dollars (\$250.00).

(Ord. 220.61, passed 12-2-86; Am. Ord. 1999-13, passed 12-21-99)



CHAPTER 71: TRAFFIC RULES

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OPERATION GENERALLY

§ 71.01 OBSTRUCTING TRAFFIC.

- (A) It shall be unlawful to operate any vehicle or permit it to

remain standing in any street in such manner as to create an obstruction thereof.

(B) It shall be unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

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

Penalty, see § 71.99

#### § 71.02 REVERSE OR U TURNS PROHIBITED.

No operator of a vehicle shall make a reverse or U turn of such vehicle so as to proceed in the opposite direction.

Penalty, see § 71.99

#### § 71.03 VEHICLES CROSSING SIDEWALKS.

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

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

Penalty, see § 71.99

### ACCIDENTS

#### § 71.15 DUTY OF OPERATOR.

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

Penalty, see § 71.99

#### Statutory reference:

Duty in case of accident, see KRS 189.580

§ 71.16 ACCIDENT REPORT.

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

Penalty, see § 71.99

## PROHIBITIONS

§ 71.25 INJURY TO STREET BY VEHICLES.

It shall be unlawful to operate any vehicle so constructed or so loaded as to do injury to the surface of the street.

Penalty, see § 71.99

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

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

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

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

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

(E) Upon approaching a stationary emergency vehicle, when the emergency vehicle is giving a signal by displaying alternately flashing red, red and white, red and blue or blue lights, a person who drives an approaching vehicle shall, while proceeding with due caution:

(1) Yield the right-of-way by moving to a lane not adjacent to that of the authorized emergency vehicle, if:

(a) The person is driving on a highway having at least four lanes with not fewer than two lanes proceeding in the same direction as the approaching vehicle; and

(b) It is possible to make the lane change with due regard to safety and traffic conditions; or

(2) Reduce the speed of the vehicle, maintaining a safe speed to road conditions, if changing lanes would be impossible or unsafe.

(F) This section does not operate to relieve the person who drives an emergency vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

(KRS 189.930) Penalty, See § 71.99

#### § 71.27 SMOKE EMISSION OR OTHER NUISANCE.

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

(KRS 189.020) Penalty, see § 71.99

#### PARADES

#### § 71.40 DEFINITIONS.

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

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

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

"PARADE PERMIT." A permit required by this subchapter.

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

§ 71.41 PERMIT REQUIRED.

(A) No person or persons shall engage in, participate in, aid, form, or start any parade unless a parade permit has been obtained from the Mayor.

(B) This subchapter shall not apply to:

(1) Funeral processions;

(2) Students going to and from school classes or participating in educational activities, providing the conduct is under the immediate direction and supervision of the proper school authorities;

(3) A governmental agency acting within the scope of its functions.

Penalty, see § 71.99

§ 71.42 APPLICATION FOR PERMIT.

A person seeking issuance of a parade permit shall file an application with the Mayor on forms provided by him.

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

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

(1) The name, address, and telephone number of the person seeking to conduct the parade;

(2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(3) The name, address, and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

(4) The date when the parade is to be conducted;

(5) The route to be traveled, the starting point, and the termination point;

(6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;

(7) The hours when the parade will start and terminate;

(8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;

(9) The location by street of any assembly area for the parade;

(10) The time at which units of the parade will begin to assemble at any such assembly area or areas;

(11) The interval of space to be maintained between units of the parade;

(12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his behalf;

(13) Any additional information reasonably necessary to a fair determination as to whether a permit should issue.

(C) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by the City Council. Penalty, see § 71.99

§ 71.43 STANDARDS FOR ISSUANCE OF PERMIT.

The Mayor shall issue a permit when, from a consideration of the application and from other information obtained, he finds that:

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

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

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

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

(E) The conduct of the parade will not interfere with the movement of fire fighting equipment enroute to a fire;

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

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

(H) The parade, if it takes the form of cruising, has the approval in writing of the owner or an authorized agent of the owner for the use of the parking lot which is the site of the parade. Penalty, see § 71.99

#### § 71.44 NOTICE OF REJECTION OF PERMIT.

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

#### § 71.45 APPEAL PROCEDURE WHEN PERMIT DENIED.

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



§ 71.46 ALTERNATIVE PERMIT.

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

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

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

- (A) The Chief of Police;
- (B) The City Attorney;
- (C) The Fire Chief;
- (D) The general manager or responsible head of each public utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.

§ 71.48 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

- (A) Starting time;
  - (B) Minimum speed;
  - (C) Maximum speed;
  - (D) Maximum interval of space to be maintained between the units of the parade;
  - (E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;
  - (F) The maximum length of the parade in miles or fractions thereof;
  - (G) Such other information as is reasonably necessary to the enforcement of this subchapter.
- Penalty, see § 71.99

§ 71.49 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairman or other person heading or leading the activity shall carry the parade permit on his person during the conduct of the parade. Penalty, see § 71.99

§ 71.50 PUBLIC CONDUCT DURING PARADES.

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

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

(C) Parking on parade route. The Mayor shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of a parade. Signs shall be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street or other public thoroughfare unless signs have been posted in accordance with this division. Penalty, see § 71.99

§ 71.51 REVOCATION OF PERMIT.

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

## TRAINS

§ 71.65 SPEED LIMIT FOR TRAINS.

It shall be unlawful for a conductor, engineer, or other person or corporation in charge of any locomotive or railroad train, to run the same at a greater rate of speed than 35 miles per hour at any point within the city limits.

(Ord. 530.1, passed 9-21-65) Penalty, see § 71.99

§ 71.66 WARNING SIGNAL.

It shall be the duty of the owners and operators of locomotives being operated within the corporate limits of the city to begin ringing the bell of a locomotive at least 100 yards before reaching the first street crossing at grade in this city and to continue such ringing, whenever the locomotive is in motion, until the last street crossing at grade leaving this city is passed. One short blast of the whistle or horn of a locomotive shall be sounded at least 50 yards before reaching the first street crossing at grade in this city and sounded once at a

distance of not less than 50 yards before reaching each street crossing at grade in this city until the last street crossing at grade leaving this city is passed. Prosecution of any violation of this section shall be commenced within six months of the violation.

(Ord. 530.1, passed 9-21-65) Penalty, see § 71.99

#### TRUCK ROUTE

#### § 71.75 FINDINGS.

City Council finds, after hearing, that the following problems exist within the city due to the operations of truck tractors, motor trucks and semi-trailers on certain streets within the city:

(A) The majority of streets are too narrow for the operation of the trucks in a manner providing safety to citizens;

(B) Numerous sidewalks, curbs and catchbasins are damaged by trucks causing a burden on the finances of the city;

(C) Trucks operated in residential neighborhoods are noisy, noxious, and unsafe to citizens and their homes.

(Ord. 1989-6, passed 5-16-89)

#### § 71.76 DEFINITIONS.

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

**"MOTOR TRUCK"**. Any motor-propelled vehicle designed for carrying freight or merchandise. It shall not include vehicles designed primarily for passenger transportation but equipped with frames, racks or bodies having a load capacity of not exceeding 1000 pounds.

**"SEMI-TRAILER"**. A vehicle designed to be attached to, and having its front end supported by, a motor truck or truck tractor, intended for the carrying of freight or merchandise and having a load capacity of over 1000 pounds.

**"TRUCK TRACTOR"**. Any motor-propelled vehicle designed to draw and to support the front end of a semi-trailer. The semi-trailer and truck tractor shall be considered to be one unit.

(Ord. 1989-6, passed 5-16-89)

#### § 71.77 TRUCKS TO BE OPERATED ONLY ON TRUCK ROUTE; EXCEPTIONS.

(A) No person shall operate any truck tractor, motor truck, or semi-trailer on any street or public way in the city, except those streets and roadways which constitute and are designated Kentucky Route Eight through the city.

(B) Any truck tractor, motor truck, or semi-trailer found on any

street or public way which is in violation of this section or which is on any private property not contiguous with those streets and roadways set forth in this section shall be presumed to have violated the provisions of this section.

(C) If any truck tractor, motor truck, or semi-trailer is found on any street or public way in violation of this section or is found on any private property which is not contiguous with those streets and roadways set forth in this section and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

(D) There shall be excepted from the provisions of this section trucks which are operated by the city, state or county and those trucks which have a pickup or delivery on a particular street as shown by its manifest.

(Ord. 1989-6, passed 5-16-89; Am. Ord. 1993-10, passed 5-4-93)  
Penalty, see § 71.99

Cross-reference:

Standing of trucks prohibited, see § 72.13

§ 71.99 PENALTY.

(A) Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be guilty of a violation and shall be fined not less than \$20 nor more than \$250.

(B) Any person who violates § 71.26 shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$500, or be imprisoned in the county jail for not more than 30 days, or both.  
(KRS 189.993 (8))

(C) Any person who violates the provisions of § 71.77 shall be guilty of a Class B misdemeanor and be subject to a fine, jail time, or both in accordance with the penalties for a Class B misdemeanor provided in the Kentucky Revised Statutes. (Ord. 1989-6, passed 5-16-89)

CHAPTER 72: PARKING REGULATIONS

Section

Parking Generally

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- 72.02 Obstructional parking; double parking
- 72.03 Manner of parking
- 72.04 Prohibited stopping or parking
- 72.05 City may restrict parking as needed; posting of signs required
- 72.06 Temporary parking prohibitions
- 72.07 All-night parking
- 72.08 Parking on public off-street facility; municipally owned parking lots
- 72.09 Owner responsibility
- 72.10 Display of parked vehicle for sale
- 72.11 Standing in designated parking spaces for persons with disabilities prohibited
- 72.12 Designation of parking spaces for persons with disabilities
- 72.13 Standing of trucks and certain other motor vehicles prohibited
- 72.14 Parking of vehicles in violation of tax or license laws prohibited

Parking Violations Enforcement Procedures

- 72.25 Impoundment
- 72.26 Local Government Parking Citation Act adopted by reference
  
- 72.99 Penalty

Cross-reference:

Motor Vehicle Parking Authority, see §§ 34.30 through 34.32

Statutory reference:

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

PARKING GENERALLY

§ 72.01 DEFINITIONS.

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

"ALLEY." Any public right-of-way within the city not more than 15 feet in width.

"MOBILE UNIT." Any device, whether or not attached to a motor vehicle, in, upon, or by which any person or property is or may be transported or drawn upon a public highway when attached to a motor vehicle.

"MOTOR TRUCK." Any motor propelled vehicle designed for carrying freight or merchandise. It shall not include vehicles designed primarily for passenger transportation or equipped with frames, racks or bodies having a load capacity of not exceeding 1,000 pounds.

"MOTOR VEHICLE." Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power.

"OVERSIZE VEHICLE." Any motor vehicle or mobile unit that exceeds 80 inches in height or exceeds 96 inches in width or both.

"PLACE WITHIN THE CITY." Any public right-of-way within the city or any public parking lot or private parking lot over which control has been expressly granted to the city by the owner in writing.

"SCRAPPING VEHICLE." Any vehicle that is used for the purpose of collecting, gathering or hauling of any waste, or any old, abandoned or unwanted metal, wood, glass, block, brick, rubber, plastic, vinyl, slate, building material, roofing material, wrought iron, wiring, piping, copper, aluminum, steel, or any other material whether for resale, collecting, recycling, reuse or discarding.

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

"STAND." To park or stop whether or not the propelling device is engaged and whether or not the vehicle attended.

"TRAILER." Any vehicle or mobile unit that is designed to be attached to and have its front end supported by a motor vehicle, including but not limited to, boat trailers; camper trailers; utility trailers or any trailer used for the purpose of hauling materials or merchandise.

"TRUCK TRACTOR." Any motor propelled vehicle designed to draw and to support the front end of a semi-trailer. The semi-trailer and truck tractor shall be considered to be one unit.

(Ord. 500.010, passed 5-20-86; Am. Ord. 1989-12, passed 7-19-89; Am. Ord. 2010-5, passed 5-18-10)

§ 72.02 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

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

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street. Penalty, see § 72.99

DAYTON - PARKING REGULATIONS

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§ 72.03 MANNER OF PARKING.

It shall be unlawful to permit any motor vehicle or other mobile unit to stand in any place within the city with its left side to the curb other than on streets designated for one-way traffic; or to stand more than 12 inches from the curb or in such a manner as to impeded the flow of traffic or the movement of other standing vehicles.

(Ord. 500.050, passed - - ) Penalty, see § 72.99

§ 72.04 PROHIBITED STOPPING OR PARKING.

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

(1) On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in § 72.03.

(2) On a sidewalk.

(3) In front of sidewalk ramps provided for persons with disabilities.

(4) At any place where the vehicle would block the use of a driveway.

(5) Within an intersection or on a crosswalk.

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

(7) Within 30 feet of any traffic signal or sign on the approaching side.

(8) Within 15 feet of a fire hydrant.

(9) On any bridge, underpass, or approach thereto.

(10) Within 20 feet of any intersection or crosswalk.

(11) Within 20 feet of a railroad grade crossing.

(12) In any alley.

(13) On any controlled access highway.

(14) Within any highway tunnel.

(15) In an area between the roadways of a divided highway.

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

(C) The Mayor or his designee may, in the event of an emergency, order that parking be prohibited in any place within the city during the time of such emergency.

(Ord. 500.020, passed - - ) (KRS 189.450(5) - (7)) Penalty, see § 72.99

§ 72.05 CITY MAY RESTRICT PARKING AS NEEDED; POSTING OF SIGNS REQUIRED.

(A) At any time, it shall be unlawful to permit any vehicle or other mobile unit to stand in any place within the city in which the Mayor or the Mayor's designee, by executive order, finds that parking is detrimental to the public safety and, therefore, prohibited.

(B) Signs indicating the standing prohibition in the places described in division (A) above shall be posted or the curbs painted yellow in such designated places and no person shall be found to have violated division (A) unless and until such posting.

(C) At any time, the Mayor or his designee may permit vehicles or other mobile units to stand in any place within the city where parking is otherwise prohibited if the Mayor or the Mayor's designee, by executive order, finds that the parking ban is detrimental to the public safety and, therefore, not prohibited.

(Ord. 500.400, passed - - ; Am. Ord. 1995-21, passed 12-19-95; Am. Ord. 2003-9, passed 5-20-03)

Penalty, see § 72.99

§ 72.06 TEMPORARY PARKING PROHIBITIONS.

(A) At any time, it shall be unlawful to permit any motor vehicle or other mobile unit to stand at any place within the city where temporary signs prohibit parking.

(B) The Mayor or his designee, for purposes of cleaning and maintaining the streets or utilities thereupon or thereunder, or for purposes of parades or community activities, or other purposes set forth by ordinance of City Council, may order that the standing of any motor vehicle or other mobile unit be prohibited in any place within the city and place temporary signs prohibiting parking in those areas at least 24 hours prior to the time when such standing is to be prohibited.

(Ord. 500.030, passed 5-20-86) Penalty, see § 72.99

§ 72.07 ALL-NIGHT PARKING.

It shall be unlawful for anyone to park in any one place any motor vehicle or mobile unit on any of the public ways or streets of the city for a period of 48 hours or longer.

(Ord. 500.060 (b), passed 5-20-86; Am. Ord. 2003-8, passed 5-20-03) Penalty, see § 72.99

§ 72.08 PARKING ON PUBLIC OFF-STREET FACILITY; MUNICIPALLY OWNED PARKING LOTS.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on an area developed as a public off-street parking facility. If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of the provisions of this section, the Police Department shall remove or cause to be removed the vehicle in accordance with the provisions of §§ 72.20 et seq.

(B) It shall be unlawful, at any time, to permit any vehicle or other mobile unit to stand in any municipally owned parking lot in violation of regulations promulgated by the Mayor by executive order.

(1) The Mayor, by executive order, may promulgate any and all regulations necessary for the safe, orderly, and efficient use of municipal parking lots.

(2) Signs indicating prohibitions and regulations promulgated under authority granted in this division (B) shall be posted and no person shall be found to have violated said division (B) of this section unless and until such posting occurs.

(Ord. 500.070, passed 10-20-87) Penalty, see § 72.99

§ 72.09 OWNER RESPONSIBILITY.

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

Penalty, see § 72.99

§ 72.10 DISPLAY OF PARKED VEHICLE FOR SALE.

It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street. Penalty, see § 72.99

§ 72.11 STANDING IN DESIGNATED PARKING SPACES FOR PERSONS WITH DISABILITIES PROHIBITED.

(A) It shall be unlawful to permit any motor vehicle or other mobile unit to stand in any place within the city designated for standing by vehicles transporting persons with a physical disability.

(B) Division (A) of this section shall not apply to any motor vehicle displaying license plates or other insignia issued by the Commonwealth of Kentucky or any other state or issued as set forth in § 72.14 to vehicles owned by or regularly transporting persons with a physical disability.

(Ord. 500.200, passed 5-20-86) Penalty, see § 72.99

§ 72.12 DESIGNATION OF PARKING SPACES FOR PERSONS WITH DISABILITIES.

(A) City Council may designate any place within the city as restricted to standing of vehicles displaying license plates or other insignia issued by the Commonwealth of Kentucky or any other state to vehicles owned by or regularly transporting persons with a physical disability.

(B) Any citizen may make application to the City Council to designate, and City Council may designate, any place within the city as restricted to standing of vehicles carrying license plates or other insignia issued by the Commonwealth of Kentucky or any other state to vehicles owned by or regularly transporting persons with a physical disability upon the following conditions:

(1) The applicant must reside at the property where the designated parking spot is to be located and, if the applicant is not the owner of the property, present written consent from the owner authorizing the application;

(2) The applicant must show proof of ownership of a license plate or other insignia issued by the Commonwealth of Kentucky to vehicles owned by or regularly transporting persons with a physical disability; or City Council must find, after a contested hearing, that applicant meets the requirements for such license plate but was denied same due either to:

(a) Improper interpretation of the statutory guidelines  
or;

(b) Failure to own an automobile.

(3) The space requested must be directly adjacent to or as near as possible to the applicant's permanent residence;

(4) The applicant's residence must lack adequate off-street parking;

(5) The space to be designated must not interfere with public safety;

(6) The applicant must agree to reimburse the city for its reasonable costs of installation and maintenance of the space and accompanying sign as well as recordkeeping thereon; and

(7) The applicant must agree to reapply for such designated space each succeeding year during the month of January or lose such designation.

(Ord. 500.210, passed 5-20-86; Am. Ord. 1989-25, passed 12-19-89; Am. Ord. 2006-12, passed 9-5-06; Am. Ord. 2014-18, passed 11-18-14)

§ 72.13 STANDING OF TRUCKS AND CERTAIN OTHER MOTOR VEHICLES PROHIBITED.

(A) It shall be unlawful to permit any motor truck, oversize vehicle, semi-trailer, trailer, or truck tractor to stand in any place within the city.

(B) The prohibition stated in division (A) of this section shall not apply to any motor truck, oversize vehicle, semi-trailer, trailer, or truck tractor during the time it is loading or unloading passengers or cargo or during the time its occupants are making a service call.

(Ord. 500.100, passed 5-20-86; Am. Ord. 1989-12, passed 7-19-89)  
Penalty, see § 72.99

Cross-reference:

Truck route, see §§ 71.75 through 71.77

§ 72.14 PARKING OF VEHICLES IN VIOLATION OF TAX OR LICENSE LAWS PROHIBITED.

No person shall park any motor vehicle or other mobile unit which is in violation of any federal, state, county, city or other governmental entity's tax or licensing statute, ordinance or regulation at any place within the city.

(Ord. 2006-16, passed 9-19-06)

PARKING VIOLATIONS ENFORCEMENT PROCEDURES

§ 72.25 IMPOUNDMENT.

Any motor vehicle found standing or parked in any place within the city in violation of this chapter or in violation of any statute or ordinance, and any vehicle found standing or parked in any place within the city which vehicle has one previously unpaid or unappealed violation of this chapter or any statute or ordinance, may be impounded and the owner shall be responsible for payment of reasonable towing, handling and storage charges.

(Ord. 500.990, passed 5-20-86; Am. Ord. 1993-4, passed 4-20-93)

§ 72.26 LOCAL GOVERNMENT PARKING CITATION ACT ADOPTED BY REFERENCE.

(A) The provisions of the Local Government Parking Citation Act of 1984 as codified at KRS 82.600 to 82.640 are hereby adopted and made applicable by reference, as authorized in KRS 83A.060(5), within the corporate limits of this city. Its provisions shall govern the collection of fines and other fees for violation of all standing violations within this city.

(B) There is hereby established, pursuant to the provision of this Act, a Hearing Board for the city which shall hear appeals as provided in said Act. The Hearing Board shall be composed of three citizens of the city appointed by the Mayor with the approval of Council who shall each sit for a term of two years. Any or all members of the Hearing Board may be appointed by the Board as Hearing Officer, and any action of the Hearing Officer shall be deemed an action of the Board as provided in said Act.

(Ord. 500.990, passed 5-20-86)

§ 72.99 PENALTY.

(A) The owner of any motor vehicle or other mobile unit found in violation of § 72.04(A)(8) shall be fined \$25. Unless paid or appealed within seven days, said fine shall be increased to \$50.

(B) The owner of any motor vehicle or other mobile unit found in violation of § 72.06 shall be fined \$10. Unless paid or appealed within seven days, said fine shall be increased to \$15.

(C) The owner of any motor vehicle, other mobile unit, motor truck, oversize vehicle, semi-trailer, or truck tractor found in violation of any other provision of this chapter or Chapter 75 shall be fined \$20. Unless paid or appealed within seven days, said fine shall increase to \$ 40.

(Ord. 500.995, passed 5-20-86; Am. Ord. 1989-12, passed 7-19-89; Am. Ord. 1997-26, passed 11-18-97; Am. Ord. 2003-7, passed 5-6-03)

CHAPTER 73: BICYCLES AND MOTORCYCLES

Section

- 73.01 Operation of bicycles
- 73.02 Operation of motorcycles and motorscooters
- 73.03 Skating and coasting
- 73.04 Clinging to vehicles
  
- 73.99 Penalty

Cross-reference:

Required obedience to traffic directions, see § 70.02(C)

§ 73.01 OPERATION OF BICYCLES.

- (A) No person shall operate a bicycle on the sidewalks of the city.
  
- (B) No person shall operate a bicycle on any section of a public park, playground, play lot, or tot lot, except on a roadway or in a parking area.
  
- (C) No operator of any bicycle shall carry another person on such bicycle.  
Penalty, see § 73.99

§ 73.02 OPERATION OF MOTORCYCLES AND MOTORSCOOTERS.

- (A) No operator of any motorcycle, motorscooter, or power-driven bicycle shall carry another person except on a seat attached thereto or in a side car attached to the vehicle.
  
- (B) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any public park, except on a roadway or in a parking area.
  
- (C) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any play lot or tot lot.  
Penalty, see § 73.99

§ 73.03 SKATING AND COASTING.

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

(B) It shall be unlawful for any person on skates, skateboards, scooters, bicycles, coaster sleds or toy vehicles of any kind to go on any portion of the Town Center on the northeast corner to Sixth and Berry Avenues within the city.

(Am. Ord. 2002-17, passed 11-19-02) Penalty, see § 73.99

§ 73.04 CLINGING TO VEHICLES.

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

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

Penalty, see § 73.99

§ 73.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than fifty dollars (\$50.00).



CHAPTER 74: TRAFFIC SCHEDULES

Schedule

- I. One-way streets
- II. Speed limits
- III. Weight limits
- IV. Temporary traffic restrictions

SCHEDULE I. ONE-WAY STREETS.

The following streets are limited to one-way traffic in the direction indicated:

<u>Street</u>	<u>Location</u>	<u>Direction</u>	<u>Ord. No.</u>	<u>Date</u>
Berry St.	Between Seventh and Sixth Aves.	Northbound	540.05	6-3-80
Eighth St.	Between Walnut and O'Fallon Sts.	Westbound	530.03	1-20-81
Fifth Ave.	Between O'Fallon St. and Berry Ave.	Westbound	530.2	1- -78
Fourth Ave.	Between O'Fallon St. and Berry Ave.	Eastbound	530.2	1- -78
McKinney St.	Between Belmont Rd. and Tenth St.	Northbound	530.05	10-21-86
McKinney St.	Between Sixth Ave. and Eighth St.	Southbound		
Terrace Ave.	Between Fifth St. and Sixth Ave.	Northbound		
Thornton St.	Between Eighth and Ninth Sts.	Northbound		
Alley north of Third St.	Between Jackson and Clay Sts.	Eastbound	530.04	5-1-84
Alley parallel to and between Sixth and Seventh Aves.	Between Berry and Dayton Aves.	Westbound	620.10	11-18-80

<u>Street</u>	<u>Location</u>	<u>Direction</u>	<u>Ord. No.</u>	<u>Date</u>
Alley running from McKinney St. to Dayton Ave.	Between Fifth and Sixth Sts.	Eastbound	530.06	10-20-87
Seventh Avenue	Between Dayton Street and McKinney Street	Westbound	1992-7	4-21-92
Seventh Avenue	Between Dayton Street and Berry Street	Eastbound	1992-7	4-21-92
Ninth Avenue	Between Dayton Street and McKinney Street	Westbound	2000-11	11-8-00
Ninth Ave.	Between McKinney and Dayton Sts.	Eastbound	2002-5	6-25-02
Ninth Ave.	From Dayton St. to a point .1 mile west of Dayton St.	Westbound	2002-5	6-25-02

Penalty, see § 70.99

SCHEDULE II. SPEED LIMITS.

(A) The speed limit shall be twenty-five (25) miles per hour on every street in the city unless otherwise posted, and except for the following:

<u>Street</u>	<u>Location</u>	<u>Speed Limit</u>	<u>Ord. No.</u>	<u>Date</u>
Fifth Street	East of Clark Street	15 m.p.h.	1992-13	8-4-92
Greendevil Lane		15 m.p.h.	2001-17	9-4-01
Maple Street	South of Tenth Street	10 m.p.h.	1995-17	9-19-95

(B) Whoever violates the speed limits set forth in this schedule shall be subject to the same fine as set forth in the fine schedule of KRS 189.394.

DAYTON - TRAFFIC SCHEDULES

SCHEDULE III. WEIGHT LIMITS.

(A) The weight limit of vehicular traffic on the following streets within the city is hereby established per vehicle as follows, unless the operator of said vehicle shall have in his possession a temporary permit as established in division (B) hereof:

<u>Street</u>	<u>Weight Limit (Pounds)</u>	<u>Ord. No.</u>	<u>Passage Date</u>
Dayton Pike	6000	520.04	10-21-86
Lincoln Rd.	6000	520.05	10-6-87

(B) The Mayor or his designee may issue a temporary permit, free of charge, to the operator of any vehicle exceeding the limit established in this schedule, upon a finding that the vehicle's destination is accessible only via Dayton Pike.

(C) The Mayor or his designee shall cause signs indicating the weight limit established herein to be erected in such a way as to fairly warn operators of the limit.

(D) Penalty. Any person or corporation found in violation of this schedule shall be fined not less than \$10 nor more than \$100 for each offense.

DAYTON - TRAFFIC SCHEDULES

SCHEDULE IV. TEMPORARY TRAFFIC RESTRICTIONS.

(A) Traffic is restricted on the following streets as follows:

<u>Street</u>	<u>Location</u>	<u>Restriction</u>	<u>Ordinance</u>	<u>Date</u>
Fifth Avenue	From Greendevil Lane to Clay Street	No through traffic from 7:30 a.m. to 3:30 p.m. on school days	2001-10	5-1-01

(B) Any person who violates the restrictions set forth in this schedule shall be guilty of a violation and shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each offense.

DAYTON - TRAFFIC SCHEDULES

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CHAPTER 75: PARKING SCHEDULES

Schedule

I. Parking time limited

SCHEDULE I. PARKING TIME LIMITED.

It shall be unlawful to permit any motor vehicle or other mobile unit to stand in any of the following places within the city for more than two hours:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Ord. No.</u>	<u>Date</u>
Sixth Avenue	North and South	Between a point 90 feet west of McKinney Street to the east side of Clay Street	500.060	5-20-86
Any municipally-owned parking lot unless otherwise posted			500.060	5-20-86

Penalty, see § 72.99

DAYTON - PARKING SCHEDULES