

**TITLE VII: TRAFFIC CODE**

Chapter

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## CHAPTER 70: GENERAL PROVISIONS

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## **GENERAL PROVISIONS**

### **§ 70.01 DEFINITIONS.**

For the purpose of this title 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.

## Heritage Creek - Traffic Code

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

**BUSINESS DISTRICT.** Any portion of any street between two consecutive intersections in which 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 other portions of the roadway between two 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 or more streets which join at an angle whether or not one 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 below 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 set aside for public travel, except bridle paths and foot paths.

**REVERSE TURN.** To turn a vehicle on any street in a manner so 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.

(Prior Code, § 70.01)

#### **§ 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 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.

(Prior Code, § 70.02) 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.

(Prior Code, § 70.03)

**§ 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.

(Prior Code, § 70.04) 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 Chief of Police or other authorized city official shall, at his or her discretion, have authority to impose traffic regulations as he or she 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.

(Prior Code, § 70.05)

***TRAFFIC-CONTROL DEVICES*****§ 70.15 SIGNAL LEGENDS.**

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 that place prohibits either turn. However, vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time the 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 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 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 amber alone*. Vehicular traffic facing the signal shall reduce its speed and proceed cautiously across the intersection controlled by the 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 the 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 mph, except that this speed limit shall not apply to vehicles entering an expressway; and

(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 amber lights appear above a lane all left turns shall be made from that lane. Where red arrows appear above the 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 that place prohibits the turn.

(Prior Code, § 70.15) 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. 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.

(Prior Code, § 70.16)

**§ 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 the barrier or sign must be approved by the city.

(B) The sign, signal, marking or barrier shall have the same authority as the personal direction of a police officer.

(Prior Code, § 70.17) 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.

(Prior Code, § 70.18) Penalty see § 70.99

**§ 70.19 UNAUTHORIZED SIGNALS OR MARKINGS.**

(A) (1) 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.

(2) No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal bearing any commercial advertising.

(3) 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 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.

(Prior Code, § 70.19) 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.  
(Prior Code, § 70.20)

**§ 70.21 TEMPORARY DISREGARD OF DEVICES BY POLICE OFFICERS.**

In an emergency any police officer may at his or her discretion disregard traffic-control lights or signals or established regulations in order to facilitate the movement of traffic.  
(Prior Code, § 70.21)

**§ 70.99 GENERAL PENALTY.**

Whoever violates any provision of this traffic code where no other penalty is specifically provided shall be fined not less than \$20 nor more than \$500.  
(Prior Code, § 70.99)



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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 a manner so 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 a distinctive manner as to indicate the 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 or she shall be deemed to have violated this division rather than division (B) above.  
(Prior Code, § 71.01) Penalty, see § 71.99

**§ 71.02 REVERSE OR U-TURNS.**

The operator of any vehicle shall not turn the vehicle so as to proceed in the opposite direction unless the movement can be made in safety without interfering with other traffic.  
(KRS 189.330(8)) (Prior Code, § 71.02) Penalty, see § 71.99

**§ 71.03 BACKING VEHICLES.**

It shall be unlawful for the operator of any vehicle to back the vehicle at any intersection for the purpose of executing a turning movement. A vehicle from any parking position shall be backed by the operator in a manner so as to proceed on the same side of the roadway in the lawful direction of travel.  
(Prior Code, § 71.03) Penalty, see § 71.99

**§ 71.04 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 Chief of Police or other authorized city official.

(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.  
(Prior Code, § 71.04) Penalty, see § 71.99

**§ 71.05 SPEED LIMITS.**

(A) It shall be unlawful for anyone to operate or drive any automobile, truck or motor vehicle of any and every nature and description, upon the streets of the city, at a speed greater than 25 mph at any time during the day or night, within the city limits.

(B) It shall be unlawful for anyone to operate or drive any automobile, truck or motor vehicle of any and every nature and description, upon the streets of the city within a posted curve, at a speed greater than 15 mph at any time during the day or night, within the city limits.

(C) Whoever violates the speed limits set forth in this section shall be subject to the fine schedule provisions set forth in KRS 189.394.  
(Prior Code, § 71.05)

***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 the assistance that may be needed.

(Prior Code, § 71.15) 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.

(Prior Code, § 71.16) Penalty, see § 71.99

***PROHIBITIONS*****§ 71.30 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.

(Prior Code, § 71.25) Penalty, see § 71.99

**§ 71.31 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 the 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 that 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 that position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

(C) No operator of any vehicle, unless he or she 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 or she 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 or she 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. (KRS 189.930) (Prior Code, § 71.26) Penalty, see § 71.99

**§ 71.32 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) (Prior Code, § 71.27) Penalty, see § 71.99

***PARADES***

**§ 71.45 DEFINITIONS.**

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

***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. (Prior Code, § 71.40)

**§ 71.46 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 Chief of Police or other authorized city official.

(B) This subchapter shall not apply to:

(1) Funeral processions; or

(2) A governmental agency acting within the scope of its functions. (Prior Code, § 71.41) Penalty, see § 71.99

**§ 71.47 APPLICATION FOR PERMIT.**

A person seeking issuance of a parade permit shall file an application with the Chief of Police or other authorized city official on forms provided by that officer.

(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.

(B) *Application.* 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 Chairperson 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 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 or her behalf; and



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

(C) *Parade fee.* 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.  
(Prior Code, § 71.42) Penalty, see § 71.99

#### **§ 71.48 STANDARDS FOR ISSUANCE OF PERMIT.**

The Chief of Police or other authorized city official shall issue a permit when, from a consideration of the application and from other information obtained, he or she 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 firefighting equipment en route to a fire; and

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;  
(Prior Code, § 71.43) Penalty, see § 71.99

#### **§ 71.49 NOTICE OF REJECTION OF PERMIT.**

(A) The Chief of Police or other authorized city official shall act on the application for a parade permit within three days, Saturdays, Sundays and holidays excepted, after filing thereof.

(B) If he or she disapproves the application, he or she 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 or her action stating the reasons for his or her denial of the permit.  
(Prior Code, § 71.44)

**§ 71.50 APPEAL PROCEDURE WHEN PERMIT DENIED.**

(A) Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council.

(B) The appeal shall be taken within 30 days after notice of denial.

(C) The City Council shall act on the appeal within 30 days after its receipt.  
(Prior Code, § 71.45)

**§ 71.51 ALTERNATIVE PERMIT.**

(A) The Chief of Police or other authorized city official, 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.

(B) An applicant desiring to accept an alternate permit shall file a written notice of his or her acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.  
(Prior Code, § 71.46)

**§ 71.52 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 Mayor;

(B) The City Attorney;

(C) The Fire Chief; and

(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.  
(Prior Code, § 71.47)

**§ 71.53 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; and

(G) Other information as is reasonably necessary to the enforcement of this subchapter.  
(Prior Code, § 71.48) Penalty, see § 71.99

**§ 71.54 DUTIES OF PERMITTEE.**

(A) A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

(B) The Parade Chairperson or other person heading or leading the activity shall carry the parade permit on his or her person during the conduct of the parade.  
(Prior Code, § 71.49) Penalty, see § 71.99

**§ 71.55 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 the vehicles or persons are in motion and are conspicuously designated as a parade.

(C) *Parking on parade route.*

(1) The Chief of Police or other authorized city official 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.

(2) Signs shall be posted to that effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

(3) No person shall be liable for parking on a street or other public thoroughfare unless signs have been posted in accordance with this division.  
(Prior Code, § 71.50) Penalty, see § 71.99

**§ 71.56 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.  
(Prior Code, § 71.51)

***OVERSIZED VEHICLES***

**§ 71.70 WEIGHT, HEIGHT, LENGTH AND WIDTH LIMITATIONS.**

No person shall operate on any street in the city, except those highways that may be designated by the Secretary of Transportation under the provisions of KRS 189.222(1), any of the following trucks, trailers, mobile homes or vehicles:

(A) Any motor truck, semitrailer, trailer, mobile home or vehicle which exceeds 11-1/2 feet in height or 96 inches in width, including any part of the body or load;

(B) Any motor truck, except a semitrailer truck, which exceeds 26-1/2 feet in length, including any part of the body or load;

(C) Any semitrailer truck which exceeds 30 feet in length, including any part of the body or load;

(D) Any truck, semitrailer truck or truck and trailer unit which exceeds 36,000 pounds gross weight, including the load; and

(E) Any truck, semitrailer truck or tractor-trailer unit which exceeds a gross weight equal to the sum of 600 pounds per inch of the combined width of the tires upon which the vehicle may be propelled, but in no event more than 36,000 pounds.

(KRS 189.221) (Prior Code, § 71.60) Penalty, see § 71.99

**§ 71.71 CERTAIN VEHICLES PERMITTED TO OPERATE ON CITY ROADWAYS.**

(A) This subchapter shall not extend to any vehicles which enter the city for purposes of delivering goods, merchandise or other property or services to completed residences within the boundaries of the city nor to any moving van vehicles moving residents into or out of the city.

(B) Notwithstanding the provisions of § 71.70 above, any truck hauling building materials to a road construction project on a highway rated less than the maximum weight provided above, may haul up to 80,000 pounds gross weight, including the load, without a permit. This privilege shall extend only to travel between the materials manufacturing site and the road construction project and shall be automatically rescinded upon completion of the project.

(KRS 189.221(6))

(C) Any person operating a vehicle in excess of 10,000 pounds gross weight shall carry a certification of the weight of that vehicle and the weight of the load on that vehicle. This certification shall be in accordance with any regulations established by the City Council.

(Prior Code, § 71.61) Penalty, see § 71.99

**§ 71.72 CONTROL MEASURES.**

(A) Signs indicating the limitations described in this subchapter shall be erected at appropriate locations to be established by the City Council.

(B) Any peace officer of the city having reason to believe that the weight, height, length or width of any vehicle is in excess of the maximum limitations prescribed by § 71.70 above and is in the city for reasons other than those described in § 71.71, may measure or weigh the vehicle by portable scales. If the officer shall determine that the operation of the vehicle is unlawful, he or she shall issue a citation for violation of this subchapter and escort the vehicle to the boundaries of the city.

(Prior Code, § 71.62) Penalty, see § 71.99

**§ 71.99 PENALTY.**

(A) Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be fined not less than \$20 nor more than \$500.

(B) Any person who violates § 71.31 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 §§ 71.70(A) through (C), 71.71 or 71.72 shall be fined not less than \$10 nor more than \$500 (see KRS 189.990(2)(b)).

(D) Any person who violates the provisions of § 71.70(D) and (E) shall, upon conviction, be fined in an amount equal to \$.02 per pound for each pound of excess load when the excess is 2,000 pounds or less, \$.03 per pound when the excess exceeds 2,000 pounds and is 3,000 pounds or less, \$.05 per pound when the excess exceeds 3,000 pounds and is 4,000 pounds or less, \$.07 per pound when the excess exceeds 4,000 pounds and is 5,000 pounds or less, and \$.09 per pound when the excess exceeds 5,000 pounds, but in no case shall the fine be less than \$60 nor more than \$500 (see KRS 189.990(2)(a)).  
(Prior Code, § 71.99)

Section

**CHAPTER 72: ~~PARKING~~ *Parking Generally* REGULATIONS**

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***Statutory reference:***

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

***PARKING GENERALLY*****§ 72.01 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.  
(Prior Code, § 72.01) Penalty, see § 72.99

**§ 72.02 STREET PARKING.**

(A) No vehicle shall be parked on any street or public right-of-way in the city at any time.

(B) The city may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within ten feet of the center line of any street. The diagonal parking places shall be designated by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which the vehicle shall park.

(C) Should the city establish on-street parking, it shall be unlawful for the operator of any vehicle to so park a vehicle so that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle.  
(Prior Code, § 72.02) (Am. Ord. 01-2000, passed 1-11-2000) Penalty, see § 72.99

**§ 72.03 LIMITATIONS OF STOPPING AND PARKING.**

It shall be unlawful for the operator of any vehicle to stop or park the 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:

(A) 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 § 72.02 above;

(B) On a sidewalk;

(C) In front of sidewalk ramps provided for persons with disabilities;

(D) In front of a public or private driveway;



(E) Within an intersection or crosswalk;

(F) 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;

(G) Within 30 feet of any flashing beacon, traffic sign or traffic-control device; and

(H) No person shall move a vehicle not lawfully under his or her control into any prohibited area. (KRS 189.450) (Prior Code, § 72.03) Penalty, see § 72.99

**§ 72.04 EXCEPTION.**

The provisions of this chapter prohibiting the stopping and parking of a vehicle shall apply at all times or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(Prior Code, § 72.04) Penalty, see § 72.99

**§ 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.**

(A) The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day.

(B) It shall be unlawful for the operator of any vehicle to stop on any street so designated. (Prior Code, § 72.05) Penalty, see § 72.99

**§ 72.06 FRONT YARD PARKING.**

No trailer, semi tractor trailer, commercial vehicle, camper, trailer, camping vehicle or boat shall be parked or kept on any lot nearer to the street than the front building line of the house constructed on the lot. No parking in the front yard or street side yard shall be permitted.

(Prior Code, § 72.06) (Ord. 01-2000, passed 1-11-2000) Penalty, see § 72.99

**§ 72.07 PARKING ON PARADE ROUTE.**

(A) The Chief of Police or other authorized city official shall have the authority, whenever in his or her judgment it is necessary, to prohibit or restrict the stopping or parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of like signs or directions.

(Prior Code, § 72.07) Penalty, see § 72.99

***Cross-reference:***

*Parades, see §§ 71.45 et seq.*

**§ 72.08 PARKING ON OFF-STREET FACILITY.**

(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 another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee or person in charge of any like property or facility.

(B) If at any time a vehicle is parked, abandoned or otherwise trespasses in violation of the provisions of this section, a warrant may be obtained in District Court by the owner, lessee or person in charge of the property or facility, and the Police Department, on written complaint of the owner, lessee or person in charge, shall remove or cause to be removed the vehicle in accordance with the provisions of §§ 72.20 through 72.22.

(Prior Code, § 72.08) 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.

(Prior Code, § 72.09) Penalty, see § 72.99

**§ 72.10 PARKING IN PARKS.**

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot or tot lot within the city not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any park or playground where at least two wheels of the motor vehicle are resting on the roadway.

(Prior Code, § 72.10) Penalty, see § 72.99

**§ 72.11 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.

(Prior Code, § 72.11) Penalty, see § 72.99

**§ 72.12 PARKING WITH HANDICAPPED PERMITS.**

(A) Any other provision to the contrary notwithstanding, a motor vehicle bearing a decal in its front windshield issued by the County Clerk pursuant to appropriate county ordinances for handicapped persons, when operated by a handicapped person or when transporting a handicapped person, may be parked in a designated handicapped parking place, or when parked in a metered parking space may be parked for two hours for no fee, or when parked where any parking limit is imposed may be parked for two hours in excess of the parking limit. The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the handicapped person to or from the parked vehicle, but in no circumstances longer than 30 minutes.

(B) This section shall not permit parking in a no stopping or no parking zone nor where parking is prohibited for the purpose of creating a fire lane, nor permit a motor vehicle to be parked in a manner so as to constitute a traffic hazard.

(Prior Code, § 72.12) Penalty, see § 72.99

**§ 72.13 INOPERABLE OR UNSAFE VEHICLES.**

No inoperative vehicle (incapable of being moved by its own power, for a period of 30 days) shall be parked or kept on any lot, except in a garage. The 30-day time period may be extended by the City Clerk/Treasurer, upon written application, for up to two additional 30-day periods for good cause shown.

(Prior Code, § 72.13) (Ord. 01-2000, passed 1-11-2000) Penalty, see § 72.99

**§ 72.14 NO PARKING PLACES.**

(A) *No parking places.* At any time, it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device:

- (1) In any intersection;
- (2) In a crosswalk;
- (3) Within 30 feet of a traffic signal, beacon or sign on the approaching side;
- (4) Within 20 feet of any intersection or crosswalk;
- (5) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than 15 feet;
- (6) Within ten feet of a fire hydrant;
- (7) At any place where the vehicle would block the use of a driveway;

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- (8) On any sidewalk or parkway; or
- (9) At any place where official signs prohibit parking.

(B) *Parking at curb.* No vehicle shall be parked on the street, except upon the following city established dates:

- (1) Easter during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (2) Mother's Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (3) Memorial Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (4) Father's Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (5) Independence Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (6) Labor Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (7) Thanksgiving Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (8) Christmas Eve during the hours of 12:00 p.m. through 12:00 a.m. (midnight);
- (9) Christmas Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (10) New Year's Eve during the hours of 4:00 p.m. through 2:00 a.m.;
- (11) New Year's Day during the hours of 8:00 a.m. through 12:00 a.m. (midnight);
- (12) Derby Day during the hours of 10:00 a.m. through 10:00 p.m.;
- (13) Sundays during the hours of 8:00 a.m. through 10:00 p.m.;
- (14) City sponsored events (i.e. city wide yard sales) during the hours of 6:00 a.m. through 6:00 p.m.;
- (15) Unforeseen family crises (crisis events that cause family members to gather on short notice); and

(16) On street parking will be permitted only on one side of the street. The side with even numbers only when a vehicle may be parked on the curb side of the street where it does not obstruct oncoming traffic. It shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curb line.

(C) The Chief of Police or any other person authorized by the Mayor and Council shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitation or prohibitions.



(D) (1) Any person who violates the provisions of this section shall be subject to a fine of \$25 for each offense.

(2) In addition to the above fine provision, the vehicle constituting the violation may be removed. With all cost of removal being the obligation of the owner.  
(Ord. 05-2010, passed 6-15-2011; Am. Ord. 05-2020, passed 8-17-2020)

***IMPOUNDING***

**§ 72.20 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.**

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator's arrest.

(C) All fines, fees and charges must be paid in full before a release of impoundment can be issued for the vehicle's release.  
(Prior Code, § 72.20)

***Cross-reference:***

*Towing of inoperable or unsafe vehicles, see § 72.13*

**§ 72.21 REQUIRED NOTICE TO OWNER.**

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other authority or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS 281 and within ten business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.  
(KRS 376.275(1))

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(B) (1) In the event that a vehicle described in division (A) above is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in division (A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS 281 within ten business days of recovery of, or taking possession of the motor vehicle.

(2) This notice shall contain the information as to the make, model, license number and vehicle identification number of the vehicle, the location of the vehicle and the amount of reasonable charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten business days from the date of tow. This division (B) shall not apply to a tow lot or storage facility owned or operated by the city.  
(KRS 376.275(2))  
(Prior Code, § 72.21)

**§ 72.22 SALE OF VEHICLE.**

(A) Any person engaged in the business of storing or towing motor vehicles in either a private capacity or for the city who has substantially complied with the requirements of § 72.21 above shall have a lien on the motor vehicle and its contents, except as set forth in KRS 376.275(4) for the reasonable or agreed charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle as long as it remains in his or her possession.

(B) (1) If after a period of 60 days, the reasonable or agreed charges for storing or towing a motor vehicle have not been paid, the motor vehicle may be sold to pay the charges after the owner has been notified by certified mail ten days prior to the time and place of the sale.

(2) Should the proceeds of the sale of any vehicle pursuant to this section be insufficient to satisfy accrued charges for towing, transporting and/or storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting and/or storage charges by the owner or responsible casualty insurer of the vehicle.

(3) This lien shall be subject to prior recorded liens.  
(KRS 376.275(3)) (Prior Code, § 72.22)

***SNOW EMERGENCY***

**§ 72.35 ANNOUNCEMENT OF SNOW EMERGENCY.**

(A) Whenever the Chief of Police or other authorized city official finds that falling snow, sleet or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he or she finds on the basis of a firm forecast of snow, sleet or freezing rain that the weather conditions so forecasted may create a condition making it necessary that parking be prohibited, he or she is authorized to announce the prohibition, to become effective at a time specified by him or her.

(B) After the effective time of the prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Chief of Police or other authorized city official has not announced prior to 11:00 p.m. that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until 7:00 a.m. following the fall.

(C) The prohibition of parking announced by the Chief of Police or other authorized city official under the authority of this section shall remain in effect until he or she announces the termination of the snow emergency, in part or in whole, after which the prohibition of parking authorized by this section shall no longer be in effect.

(Prior Code, § 72.35) Penalty, see § 72.99

**§ 72.36 TERMINATION OF EMERGENCY.**

Whenever the Chief of Police or other authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he or she is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If the announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.

(Prior Code, § 72.36)

**§ 72.37 SNOW EMERGENCY ROUTES.**

(A) The term ***SNOW EMERGENCY ROUTE*** shall mean any route designated by the Chief of Police or other authorized city official.

(B) On a street or highway designated as a snow emergency route, special signs shall be posted to this effect.

(Prior Code, § 72.37)



**§ 72.99 PENALTY.**

(A) Enforcement of these restrictions shall be by proceedings in law or in equity, brought by the city.

(B) Any person, firm or corporation violating any section of this chapter shall be charged a civil penalty of not less than \$5 and not more than \$50 for each offense.

(C) Each day a violation of this chapter occurs is a separate offense.  
(Prior Code, § 72.99) (Ord. 01-2000, passed 1-11-2000)

Section

- CHAPTER 73: BICYCLES AND MOTORCYCLES**
- 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*

**§ 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 a bicycle.

(Prior Code, § 73.01) Penalty, see § 73.99

***Statutory reference:***

*Bicycles; safety regulations and standards, see KRS 189.287*

**§ 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 the 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 the vehicle in any play lot or tot lot.

(Prior Code, § 73.02) Penalty, see § 73.99

***Statutory reference:***

*Regulations for operating and riding on motorcycles, see KRS 189.285*

**§ 73.03 SKATING AND COASTING.**

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.

(Prior Code, § 73.03) 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 or she is riding thereto.

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

(Prior Code, § 73.04) Penalty, see § 73.99

**§ 73.99 PENALTY.**

Whoever violates any provision of this chapter shall be fined not more than \$50.

(Prior Code, § 73.99)