

ORDINANCE A-246

PROPOSED AMENDMENTS BY A-246-A (5.2023)

AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC; PROVIDING PENALTIES; AND REPEALING ORDINANCE A-188.

THE CITY OF COBURG ORDAINS AS FOLLOWS:

SECTION 1. SHORT TITLE.

This ordinance may be cited as City of Coburg Uniform Traffic and Parking Ordinance.

STATE TRAFFIC LAWS

SECTION 2. APPLICABILITY OF STATE TRAFFIC LAWS.

Provisions of Oregon Revised Statutes, Chapters 801, 803, 806, 807, 809-811, 813-816, and 818-821, and Chapter 153, except for ORS 153.093 and 153.125-153.145, are hereby adopted, and any violation shall constitute an offense against the city.

SECTION 3. DEFINITIONS.

1. In addition to those definitions contained in the above ORS chapters, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:
 - A. **Bicycle.** A non-motorized vehicle designed to be ridden, propelled by human power, and having two or more wheels the diameter of which are in excess of 10 inches, or having two or more wheels where any one wheel has a diameter in excess of 15 inches. The term "bicycle" includes an "electric assisted bicycle."
 - B. **Bus stop.** A space on the edge of a roadway designated by sign for use by buses loading or unloading passengers.
 - C. **Commercial Motor Vehicle.** A motor vehicle or combination of motor vehicles that:
 1. Has a gross combination weight rating of 26,001 pounds or more, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
 2. Has a gross vehicle weight rating 26,001 pounds or more;
 3. Is designated to transport 16 or more persons including the driver;
 4. Is of any size and is used in the transportation of hazardous materials; or

5. Is of any size and is owned or leased by, or operated under a contract with a mass transit district, or a transportation district when the vehicle is actually being used to transport passengers for hire, regardless of the number of passengers, unless the vehicle is a taxi.
 6. A commercial motor vehicle does not include the following:
 - (I) An emergency fire vehicle being operated by firefighters as defined in ORS 652.050;
 - (II) Emergency vehicles being operated by emergency service workers as defined in ORS 401.025.
 - (III) A motor home used to transport or house, for nonbusiness purposes, the operator or the operator's family members or personal possessions;
 - (IV) A vehicle that is owned or leased by, or operated under contract with, a mass transit district or a transportation district when the vehicle is actually being used to transport passengers for hire and is being operated by a volunteer driver, so long as the vehicle is not one described in section of this section; or
- D. Electric assisted bicycle.** A vehicle that is operated solely for personal use and,
1. Is designed to be operated on the ground on wheels,
 2. Has a seat or saddle for use of the rider,
 3. Is designed to travel with not more than three wheels in contact with the ground,
 4. Has both fully operative pedals for human propulsion and an electric motor, and is equipped with an electric motor that:
 - (I) Has a power output of not more than 1,000 watts, and
 - (II) Is incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level ground.
- E. Guest.** A bona fide visitor to a residence located on a residential parking street.
- F. Holiday.** New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and any other day proclaimed by the Council to be a holiday.
- G. Loading zone.** A space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified days.
- H. Motor vehicle.** Every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road building equipment, street cleaning equipment, and any other vehicle capable of moving under its own power notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

- I. **Park or parking.** The condition of:
 - 1. A motor vehicle that is stopped while occupied by its operator with the engine turned off, or
 - 2. A motor vehicle that is stopped while unoccupied by its owner whether or not the engine is turned off.
- J. **Parking Permit.** A valid resident parking permit or guest parking permit issued by The City of Coburg.
- K. **Pedestrian.** A person on the public right-of-way, except:
 - 1. The operator or passenger of a motor vehicle or bicycle.
 - 2. A person leading, driving, or riding an animal or animal-drawn conveyance.
- L. **Person.** A natural person, firm, partnership, association, or corporation.
- M. **Recreational Vehicles.** A vehicle designed to be used primarily as temporary living quarters for recreational, camping, travel, or seasonal use that either has its own motor power or is mounted on or towed by another vehicle, including but not limited to camping trailers, fifth wheel trailers, motor homes, travel trailers, and truck campers. For purposes of this Ordinance, recreational vehicles include boats that are used primarily as temporary living quarters for recreational, camping, travel, or seasonal use.
- N. **Residence.** A single-family, two-family, or multi-family dwelling within the boundaries of the City of Coburg.
- O. **Resident.** The principal occupant of a residence.
- P. **Residential Parking Street.** A street within the boundaries of the City of Coburg, which the council designates as requiring a parking permit to park a motor vehicle at any time, at certain times, between certain dates, or on certain days.
- Q. **Restricted Zone.** A zone within the city limits which may be streets, partial streets, or blocks which have been designated by the City Council as an area in which parking, stopping, or standing requires the use of a permit or other approved means to park, stop, or stand.
- R. **Stand or Standing.** The stopping of a motor vehicle while occupied by its operator with the engine running, except stopping in obedience to the instructions of a traffic officer or traffic control device or for other traffic.
- S. **Stop.** Complete cessation of movement.
- T. **Street and other property open to public travel.**
 - 1. **Street.** The terms "highway," "road," and "street," when used in this ordinance or in the ORS chapters incorporated herein, shall be considered synonymous, unless the context precludes such construction. "Street," as defined in this ordinance and the ORS chapters incorporated by reference

herein, includes alleys, sidewalks, and parking areas and access ways owned or maintained by the city.

2. **Other property open to public travel.** Property, whether publicly or privately owned and whether publicly or privately maintained, upon which the public operates motor vehicles either by express or implied invitation other than streets as defined in Subpart (i) of this section, and excepting public school property, county property, or property under the jurisdiction of the State Board of Higher Education. Other property open to public travel shall include but not be limited to parking lots, service station lots, shopping center and supermarket parking lots, and other access ways and parking areas open to general vehicular traffic, whether or not periodically closed to public use.

- U. **Taxicab stand.** A space on the edge of a roadway designated by sign for use by taxicabs.
- V. **Traffic control device.** A device to direct vehicular or pedestrian traffic or parking, including but not limited to a sign, signaling mechanism, barricade, button, or street or curb marking installed by the city or other authority.
- W. **Traffic lane.** That area of the roadway used for the movement of a single line of traffic.
- X. **Vehicle.** Any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. Vehicles include bicycles, but do not include manufactured structures.

ADMINISTRATION.

SECTION 4. POWERS OF THE COUNCIL.

1. Subject to state laws, the City Council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated herein or by another ordinance.
2. The powers of the Council shall include but not be limited to:
 - A. Designation of through streets.
 - B. Designation of one-way streets.
 - C. Designation of truck routes.
 - D. Designation of parking meter zones.
 - E. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage.

- F. Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law.
- G. Initiation of proceedings to change speed zones.
- H. Revision of speed limits in parks.
- I. Closing of city streets for special events.

SECTION 5. DUTIES OF THE DIRECTOR OF PUBLIC WORKS.

The Director of Public Works or designee may exercise the following duties consistently with section 7

1. Implement the ordinances, resolutions, and motions of the council and the Directors of Public Works own orders by installing traffic control devices. Such installations shall be based on the standards contained in the Oregon Manual on Uniform Traffic Control Devices for Streets and Highways.
2. Establish, maintain, remove, or alter the following classes of traffic controls:
 - A. Crosswalks, safety zones, and traffic lanes.
 - B. Intersection channelization and areas where drivers of vehicles shall not make right, left, or U-turns, and the time when the prohibition applies.
 - C. Parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal).
3. Establish, maintain, remove, or alter traffic control signals or signs.
4. Establish, maintain, remove, or alter loading zones and stops for all vehicles.
5. Temporarily block or close streets.

SECTION 6. PUBLIC DANGER.

Under conditions constituting a danger to the public, the Director of Public Works or designee may install temporary traffic control devices deemed to be necessary.

SECTION 7. STANDARDS.

The regulations of Director of Public Works or designee shall be based upon:

1. Traffic engineering principles and traffic investigations.
2. Standards, limitations, and rules promulgated by the State Highway Commission.
3. Other recognized traffic control standards.

SECTION 8. AUTHORITY OF POLICE DEPARTMENT AND FIRE AGENCIES.

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

2. In the event of a fire or other public emergency, officers of the police and fire agencies may direct traffic as conditions require, notwithstanding the provisions of this ordinance.

SECTION 9. OBEDIENCE TO AND ALTERATION OF CONTROL DEVICES.

1. No person shall disobey the instruction of a traffic officer or a traffic control device.
2. No unauthorized persons shall install, move, remove, obstruct, alter the position of, deface, or tamper with a traffic control device.

SECTION 10. EVIDENCE.

The existence of a traffic control device shall be prima facie evidence that the device was lawfully authorized and installed.

SECTION 11. EXISTING CONTROL DEVICES.

Traffic control devices installed prior to the adoption of this ordinance are lawfully authorized.

SECTION 12. RULES OF ROAD.

In addition to state law, the following shall apply to the operation of vehicles upon the streets of the city:

1. The operator of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic, and shall yield the right-of-way to moving traffic and pedestrians.
2. The operator of a vehicle in the traffic lane shall have the right-of-way over an operator of a vehicle departing from a parking space.
3. No operator of a vehicle shall pull away from a curb or other parking area without giving an appropriate turn signal when other traffic may be affected.
4. Where a stop sign is erected at or near the entrance to an intersection, the operator of a vehicle approaching shall bring the vehicle to a stop before crossing a stop line or crosswalk; or, if none, then before entering the intersection. Stopping at a point which does not yield an unobstructed view of traffic on the intersecting street shall not constitute compliance with the requirements of this section.
5. Notwithstanding an indication by a traffic control device to proceed:
 - A. No operator of a vehicle shall enter an intersection unless there is sufficient space on the opposite side of the intersection to accommodate the operator's vehicle without obstructing the passage of other vehicles.

- B. No operator of a vehicle shall enter a marked crosswalk, whether or not at an intersection, unless there is sufficient space on the opposite side of the crosswalk to accommodate the operator's vehicle without obstructing the passage of pedestrians.

SECTION 13. CROSSING PRIVATE PROPERTY.

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

SECTION 14. EMERGING FROM VEHICLE.

No person shall open the door of a motor vehicle into a traffic lane without first ascertaining that it can be done in safety.

SECTION 15. UNLAWFUL RIDING.

1. No operator shall permit a passenger and no passenger shall ride on a vehicle upon a street except on a portion of the vehicle designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to a person riding within a truck body in space intended for merchandise.
2. No person shall board or alight from a vehicle while the vehicle is in motion upon a street.
3. No person shall allow a domestic animal to ride on a vehicle upon a street except on a portion of the vehicle designed or intended for the use of passengers, unless a device is used to prevent the domestic animal from leaping from the vehicle while it is in motion
4. No person shall operate a motor vehicle while holding a pet.

SECTION 16. CLINGING TO VEHICLES.

No person riding upon a bicycle, motorcycle, coaster, roller skates, sled or other device shall attach the device or person to a moving vehicle upon a street. Nor shall the operator of a vehicle upon a street knowingly allow a person riding on any of the above vehicles or devices to attach to the vehicle or a device to the vehicle.

SECTION 17. DAMAGING SIDEWALKS AND CURBS.

1. The operator of a vehicle shall not drive upon a sidewalk or roadside planting strip except to cross at a permanent or temporary driveway.

2. No unauthorized person shall place dirt, wood or other material in the gutter or space next to the curb of a street with the intention of using it as a driveway.
3. No person shall remove a portion of a curb or move a motor vehicle or device moved by a motor vehicle upon a curb or sidewalk without first obtaining authorization from the Public Works Director and posting bond if required. A person who causes damage shall be held responsible for the cost of repair.
4. It shall be unlawful for any person except the City to paint, write, print or otherwise place any sign or other matter upon the surface of any of the streets, alleys, sidewalks or crosswalks within the city limits, except that bus stop benches with signs upon them may be placed at such locations and for such periods of time as the council may from time to time permit.

SECTION 18. OBSTRUCTING STREETS AND SIDEWALKS.

It shall be unlawful for any person to place on any street, alley or sidewalk any building material, wood, farm implements, vehicles, merchandise or other material which in any way tends to obstruct the travel or free passage of pedestrian and vehicular traffic; provided that lumber, building materials and wood may be so placed, but shall not remain longer than 48 hours; and in case the passage of pedestrians or traffic is liable to be endangered thereby, the chief of police may require a warning light to be placed thereon at night. And it shall be unlawful for any person owning or in charge of land abutting on a sidewalk to allow trees on the land to grow over the sidewalk in such a manner as to obstruct free passage of traffic along the sidewalk.

SECTION 19. REMOVING GLASS AND DEBRIS.

A party to a vehicle accident or a person causing broken glass or other debris to be upon a street shall be responsible for ensuring the removal of the glass and other debris from the street. Tow truck operators shall be required to clean debris at the scene of an accident when they have been employed to remove one or more vehicles from the scene.

SECTION 20. ILLEGAL OPERATION OF A MOTOR ASSISTED SCOOTER.

All motor assisted scooters must abide by the same rules of the road as would apply to bicycles and must be equipped with the same equipment as required for bicycles.

PARKING REGULATIONS

SECTION 21. PARKING REGULATIONS NOT EXCLUSIVE.

These parking regulations do not supersede or preclude the enforcement of any other regulation of parking or storage of vehicles in specified places or at specified times.

SECTION 22. METHOD OF PARKING.

1. No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.
2. Where parking space markings are placed on a street, no person shall stand or park a vehicle other than in the indicated direction and, unless the size or shape of the vehicle makes compliance impossible, within a single marked space.
3. The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to deprive the first operator of priority or block access.
4. Whenever the operator of a vehicle discovers that their vehicle is parked close to a building to which the fire district has been summoned, the operator shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers.

SECTION 23. PROHIBITED PARKING AND STANDING.

In addition to the state motor vehicle laws prohibiting parking, no person shall park or stand:

1. A vehicle upon a bridge, viaduct, or other elevated structure used as a street.
2. A vehicle in an alley other than for the expeditious loading or unloading of persons or materials, but in no case for a period in excess of 30 consecutive minutes.
3. A commercial motor vehicle or commercial vehicle on a street between the hours of 9:00 p.m. and 7:00 a.m. of the following day in front of or adjacent to or close enough to cause an inconvenience to a residence, motel, apartment house, hotel, or other sleeping accommodation.
- ~~4. For more than 5 days, cumulative or consecutive, in any calendar quarter, a motor home used to transport or house, for non-business purposes, the operator or the operator's family members or personal possessions.~~
- 5.4. A vehicle upon a highway, except as authorized.
- 6.5. A vehicle upon or across a sidewalk.

- ~~7.6.~~ A vehicle parked within 20 feet of a crosswalk at an intersection on a street within the City jurisdiction.
- ~~8.7.~~ A vehicle within ten feet of railroad tracks.
- ~~9.8.~~ A vehicle within ten feet of a fire hydrant.
- ~~10.9.~~ A vehicle within two feet of a driveway or in any portion of a street which blocks vehicular access to any driveway.
- ~~11.10.~~ A vehicle on a bike path or bike lane.
- ~~12.11.~~ In a manner that obstructs or interferes with the delivery of mail.
- ~~13.12.~~ Motor homes, recreational vehicles, campers, boats, or trailers are prohibited from being parked on the street:
- A. For the principal purpose of displaying the vehicle for sale.
 - B. For repairing or servicing the vehicle, except minor repairs necessitated by an emergency.
 - C. For the principal purpose of displaying advertising from the vehicle.
 - D. For the principal purpose of selling merchandise from the vehicle, except when authorized.
- ~~13.4. Except as permitted by Section 23(4), n~~ No person, firm or corporation shall store on any street for longer than seventy-two (72) consecutive hours any wagon, automobile, farming implement, traction engine, machinery, motor home, recreational vehicle, camper, boat, trailer or vehicle; provided, however, that mechanics may make minor repair to such machinery of vehicles while temporarily on the streets for that purpose if traffic is not thereby obstructed. This section shall not apply to machinery or vehicles owned by or in the employ of the city and used in working on the streets. This does not give the right to nor prohibit the removal of vehicles that are a traffic hazard or safety hazard.
- ~~14.5.~~ A recreational vehicle in violation of Section 31.

SECTION 24. PROHIBITED PARKING.

1. No operator shall park and no owner shall allow a vehicle, motor homes, campers, boats, recreational vehicles, or trailers to be parked upon a street for the principal purpose of:
 - A. Displaying the vehicle for sale.
 - B. Repairing or servicing the vehicle, except repairs necessitated by an emergency.
 - C. Displaying advertising from the vehicle.
 - D. Selling merchandise from the vehicle, except when authorized.
 - E. Storing the vehicle for longer than 72 consecutive hours.

2. No person, firm or corporation shall store on any street for longer than three consecutive days any wagon, automobile, farming implement, traction engine, machinery, motor home, camper, boat, trailer or vehicle; provided, however, that mechanics may repair such machinery or vehicles while temporarily on the streets for that purpose if traffic is not thereby obstructed. This section shall not apply to machinery or vehicles owned by or in the employ of the city and used in working on the streets.
3. No person shall park or stand any vehicle upon any residential parking street without a residential parking permit or guest parking permit, prominently displayed on the vehicle, at any time during which the residential parking street is limited to residential parking.
 - A. A resident may apply to the city for residential or guest parking permits. The city shall issue a residential parking permit if the applicant lives on a residential parking street that is within the restricted zone, possesses a valid driver's license, and provides proof of current vehicle registration. The city may issue guest parking permits to qualified residents.
 - B. The parking permit(s) shall be valid as long as the registered owner maintains the same address as indicated on the initial permit.
 - C. The duty of issuing permits may be delegated to any employees of the city or volunteers for the city who do not directly work for the police department.
 - D. Parking permits shall be used only by residents who live on a residential parking street within the restricted zone or their bona fide guests who are visiting a residence within the restricted zone. The parking permit shall be clearly displayed on the motor vehicle. Guest parking permits must reflect the address of the resident who resides within the restricted zone. Guest passes shall not be loaned, sold, leased, or otherwise provided to others for any purpose other than enabling vehicles to park within the restricted zone for purposes of visiting a residence within the restricted zone.
 - E. A resident may apply to the City Council for an exception granting relief from the parking permit requirements within a restricted zone to allow for special events. The City Council shall decide the manner in which to grant the relief to the resident. The relief granted shall not last more than 24 hours.
 - F. Unauthorized reproduction or unauthorized use of any residential parking permit, guest parking permit, or other sticker, placard, or identifying item issued by the police department to aid in the identification of vehicles is a violation of this ordinance.

- G. Theft of a parking permit is a class "C" misdemeanor punishable by a fine established by order of the Municipal Court Judge, imprisonment not to exceed 30 days, or both.
- H. It shall be a violation to park a vehicle on a street within a restricted zone, unless the vehicle has a prominently displayed, valid parking permit.

SECTION 25. USE OF LOADING ZONE.

No person shall stand or park a vehicle for any purpose or length of time, other than for the expeditious loading or unloading of persons or materials, in a place designated as a loading zone when the hours applicable to that loading zone are in effect. In no case when the hours applicable to the loading zone are in effect shall the stop for loading and unloading of materials exceed the time limits posted. If no time limits are posted, then the use of the zone shall not exceed 30 minutes.

SECTION 26. LEAVING UNATTENDED VEHICLE.

No operator or person in charge of a motor vehicle shall park it or allow it to be parked on a street, on other property open to public travel, or on a new or used car lot without first stopping the engine, locking the ignition, removing the ignition key from the vehicle, and effectively setting the brake. If the vehicle is attended, the ignition key need not be removed.

SECTION 27. STANDING OR PARKING OF BUSES REGULATED.

The operator of a bus shall not stand or park the vehicle upon a street in a business district at a place other than a bus stop.

SECTION 28. RESTRICTED USE OF BUS STOPS.

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

SECTION 29. LIGHTS ON PARKED VEHICLE.

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

SECTION 30. EXTENSION OF PARKING TIME.

No operator of a motor vehicle shall park and no owner shall allow a vehicle to stand continuously for a time longer than the maximum time limit posted on an official sign. Where maximum parking time limits are designated by sign, movement of a vehicle within a block to another restricted area shall not extend the time limits for parking.

SECTION 31. PARKING AND USE OF RECREATIONAL VEHICLES.

See Ordinance Regulating the Parking and Use of Recreational Vehicles within the City of Coburg.

SECTION 32. MOTOR VEHICLES AND TRAILER PARKING REGULATIONS ON ROBERTS ROAD

1. Motor vehicles and trailers including semi-trucks, camping trailers, fifth wheel trailers, motor homes, travel trailers or truck campers, whether separate or attached, parking, standing and stopping on Roberts Road and Roberts Court within the City of Coburg are subject to the following regulations:
 - A. No parking, standing or stopping is allowed on the entire length of the west side of Roberts Road.
 - B. No parking, standing or stopping is allowed on the first fifty feet of the east side of Roberts Road starting from its intersection with Pearl Street.
 - C. On the remaining length of the east side of Roberts Road parking, standing or stopping for a maximum of one hour is allowed for motor vehicles and trailers attached to a motor vehicle, but parking of unattached trailers is prohibited.
 - D. On Roberts Court parking, standing or stopping is allowed for a maximum of fifteen minutes.
 - E. Moving a motor vehicle or trailer to another location on the same street does not start a new time period for purposes of these regulations.
2. The owner of a motor vehicle or trailer placed in violation of a regulation established herein shall be responsible for the offense, except where the use of the vehicle or trailer was secured by the operator without the owner's consent. In a prosecution of a vehicle or trailer owner, charging a violation of this or another ordinance, proof that the vehicle at the time of the violation was registered to the defendant constitutes a presumption in fact of the defendant's ownership.

SECTION 33. EXEMPTION.

The provisions of this ordinance regulating the parking or standing of vehicles shall not apply to a vehicle of the city, county, or state or public utility while necessarily in use for construction or repair work on a street, or a vehicle owned by the United States while in use for the collection, transportation, or delivery of mail.

BICYCLE REGULATIONS

SECTION 34. BICYCLE EQUIPMENT.

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

SECTION 35. BICYCLE OPERATING RULES.

Persons operating bicycles within the City will follow all Oregon State Laws pertaining to the operation of a bicycle as stipulated in the Oregon Revised Statutes.

SECTION 36. IMPOUNDING OF BICYCLES.

1. It shall be unlawful to leave a bicycle on public or private property without the consent of the person in charge or the owner thereof.
2. A bicycle left on public property for a period in excess of 24 hours may be impounded by the police department.
3. In addition to any citation issued, a bicycle parked in violation of this ordinance may be immediately impounded by the police department.
4. If a bicycle impounded under this ordinance is licensed, or other means of determining its ownership exist, the police shall make reasonable efforts to notify the owner. An impounding fee, as set forth in the City's fee schedule, shall be charged to the owner. No impounding fee shall be charged to the owner of a stolen bicycle which has been impounded.
5. A bicycle impounded under this ordinance which remains unclaimed shall be disposed of in accordance with the city's procedures for disposal of abandoned or lost personal property.

PEDESTRIANS

SECTION 37. USE OF SIDEWALKS.

A pedestrian shall not use a roadway for travel when a sidewalk is available.

SECTION 38. PEDESTRIANS MUST USE CROSSWALKS.

No pedestrian shall cross a street other than within a crosswalk in blocks with marked crosswalks, or if within 150 feet of a marked crosswalk. If a crosswalk is not present then the pedestrian can cross at any corner.

SECTION 39. RIGHT ANGLES.

A pedestrian shall cross a street at a right angle, unless crossing within a crosswalk.

SECTION 40. OBEDIENCE OF TRAFFIC LIGHTS.

At an intersection where a pedestrian control light is in operation, no pedestrian shall start to cross the street except when the walk signal is illuminated. Where only vehicle control lights are in operation, no pedestrian shall start to cross the street except when the green light is illuminated.

PARADES, PROCESSIONS AND CRUISING.

SECTION 41. PARADES AND PROCESSIONS.

During parades, the police may clear the streets and prohibit vehicles and pedestrians from crossing the streets. No pedestrian or vehicle shall break through the line of a funeral procession.

SECTION 42. CRUISING.

Cruising events within the City of Coburg are authorized by permit issued to a sponsor or sponsors upon proper application to the City of Coburg. An individual's authorization to cruise within the City is only authorized by a permission slip. Individual permission is granted only upon agreement by vehicle operators and registrants to conduct themselves pursuant to State laws, local ordinances, and event rules. The event permit and the individual permission slips are revocable on the spot by the City of Coburg through its appointed officials, police officers, or administrator, or event sponsor(s) when reasonable suspicion exists that any violation of law, rule, or ordinance has occurred.

DEFINITIONS

- 1. Unlawful Cruising.** The repeated passage of a vehicle on any portion of a street which is within an approved cruising route, three or more times in a two hour period, without a city-authorized permission slip during an authorized cruise event.

2. **Cruising Permit.** A permit issued by the event sponsor and provided by the City of Coburg for a properly authorized cruising event.
3. **Cruising Event.** An authorized event with an identified sponsor or sponsors with a specified cruising route, which has been approved by the City Council.
4. **Prohibited Cruising Activity.** Any operation of a motor vehicle in which the State Motor Vehicle Code, criminal statutes, city ordinances, or cruising regulations are violated.
5. **Cruising Permission Slip.** The sponsor issued and city provided permit which must be posted clearly in the front windshield of all registered cruisers allowing the clearly legible recognition of the registration number. The cruising permission slip will include the following information:
 - A. The cruise permit number will be in large block letters of at least one half inch in height, the permit will be of a bright easily noticeable color identifying the owner or driver. The information included in the permit must identify the insurance company currently insuring the vehicle and the active policy number with expiration date. The permit may include or require any other applicable and informative details as the City of Coburg deems prudent.
 - B. Safety Regulations. All other rules established by city departments prior to the cruising event and listed upon the cruising permission slip issued during registration.
 - C. Permit Revocation. May occur at any time when an event sponsor, police officer, or other city official has a reasonable suspicion the operation of the permitted vehicle is dangerous or in violation of the rules established, motor vehicle code, or local ordinances.

TOWING

1. **Notice of Towing, Towing and Impounding.** This ordinance authorizes the towing and impounding of vehicles participating in "prohibited cruising activity" upon a second or subsequent violation of any rule, law, or ordinance. Upon issuing a first citation for violation of any portion of this section, the police officer shall give the person whom the citation is issued a written notice which shall state:

NOTICE

You have been cited for violation of Ordinance ____, Section 40 for violation of the rules, ordinances, or laws regulating cruising. If the vehicle you are driving is again driven along or across the cruise event area authorized by the city council during the advertised hours of the authorized cruise event, the driver will be cited for violation of Ordinance ____ Section 40 and its applicable subsections, and this vehicle shall be towed and impounded. The impounded vehicle will be released to its registered

owner, upon proof of ownership, and the payment of towing, impoundment, and administrative fees.

2. Riding on any portion of a vehicle, outside of the driver's or passenger's compartment, in which mounted seats and safety belt systems equipped pursuant to Oregon Revised Statutes 815.055, 815.075, and 815.080 are not in use by the occupants (except antique vehicles specifically exempted in ORS 815.105).
 - A. Order to Leave. An order issued by any law enforcement officer to any driver or occupant of any motor vehicle, directing such person to remove themselves and the vehicle from the cruising route, and not to return to such route while the cruise is in progress.
 - B. Requirements. All persons engaging in cruising activities shall obey the Oregon Vehicle Code, all safety regulations, and all city ordinances, including all requirements for proper installation and use of safety belts.
 - C. Prohibitions. No person shall engage in any prohibited cruising activity, including, but not limited to, unlawful cruising and unsafe external riding. No person shall disobey a lawful order to leave.
 - D. Insurance. All cruise permission slip applicants must have proof of current, adequate motor vehicle insurance immediately prior to being issued a permission slip.
 - E. Operator's License. All cruise permission slip applicants must possess and show to event sponsors proof of current authorization to operate a motor vehicle in the United States of America immediately prior to being issued a permission slip.
 - F. Improper issuance of permission slip. Sponsors shall issue permission slips only to applicants who meet the requirements of this ordinance. Improper issuance of a permission slip is a violation of this ordinance.
 - G. Traffic Citations. Police officers will issue Uniform Traffic Citations to persons who violate this ordinance during an authorized cruise.
 - H. Exemptions.

This section shall not apply to:

- A. any publicly owned vehicle of any city, county, public district, state or federal agency;
- B. any vehicle listed for public transportation;
- C. any other vehicle granted an exemption by a law enforcement officer because passage of the vehicle along or across the traffic congested street is necessary for commercial or medical reasons.

PARKING CITATIONS AND OWNER RESPONSIBILITY

SECTION 43. CITATIONS ON ILLEGALLY PARKED VEHICLES.

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this ordinance, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a parking citation for the operator to answer to the charge or pay the penalty imposed within ten days during the hours and at a place specified in the citation. The bail schedule shall be established by the Municipal Court. The officer will follow the impound rules as designated by police departmental procedures.

SECTION 44. FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE.

If the operator does not respond to a traffic citation affixed to such vehicle within a period of ten days, the court clerk may send to the owner of the vehicle to which the traffic citation was affixed a letter informing the operator of the violation and issuing a warning that, in the event the letter is disregarded for a period of ten days, a warrant for the operator's arrest may be issued.

SECTION 45. OWNER RESPONSIBILITY.

The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except where the use of the vehicle was secured by the operator without the owner's consent.

SECTION 46. REGISTERED OWNER PRESUMPTION.

In a prosecution of a vehicle owner, charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that he was then the owner in fact.

PENALTIES

SECTION 47. PENALTIES.

Except as may be limited by charter or as otherwise provided herein, violations of this ordinance or the Oregon Revised Statutes adopted by reference in Section 2 of this ordinance are offenses against the city and are punishable up to the maximum amounts established by order of the Municipal Court Judge, which amounts shall not exceed the maximum amounts established under state law.

GENERAL

SECTION 48. SEVERABILITY CLAUSE.

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

SECTION 49. REPEAL

Ordinance A-188, Establishing certain motor vehicle and trailer parking regulations, enacted July 23, 2003, is now repealed.

SECTION 50. EFFECTIVE DATE

Ordinance A-246 will take effect on the thirtieth day after its enactment.

ADOPTED by the **City Council** of the **City of Coburg** this 9th day of October, 2018, by a vote of 4 for and 3 against.

APPROVED by the Mayor of the City of Coburg this 9th day of October, 2018.

Ray Smith, Mayor

ATTEST:

Sammy L. Egbert, City Recorder