

ORDINANCE "A"

AN ORDINANCE TO REGULATE TRAFFIC AND TO PROVIDE A PENALTY FOR THE VIOLATION THEREOF.

THE VILLAGE OF EDWARDSBURG ORDAINS:

Section 1. The following words, when used herein, shall be deemed to have the meanings given below:

- A. VEHICLE - Every device in or upon or by which any person or property may be transported or drawn upon a public highway, excepting devices used exclusively upon stationary rails or tracks.
- B. MOTOR VEHICLE - Every vehicle, as herein defined which is self-propelled.
- C. TRAILER - Every vehicle with or without motive power other than a pulled trailer designed for carrying property or persons and for being drawn by motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
- D. PEDESTRIAN - Any person afoot.
- E. PERSON - Every natural person, firm, co-partnership, association or corporation and their respective trustees and receivers.
- F. OWNER - A person who holds a legal title of a vehicle or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with a right of purchase upon performance of the conditions stated in the agreement with the immediate right of possession vested in the conditional vendee or lessee; or, in the event of a mortgagor or a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of the ordinance.
- G. OPERATOR - The word operator shall mean and include every person or individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner and with reference to parking provisions, any person, parking or moving a vehicle, whether remaining in such parked vehicle or not.
- H. STREET or HIGHWAY - The entire width between the boundary lines of every way or any part thereof is open to the use of the public for purposes of vehicular travel.
- I. ROADWAY - That portion of a highway improved, designed or ordinarily used for vehicular traffic.
- J. THROUGH STREET - A street or portion thereof at the entrance to which vehicles from intersecting streets are required

by standard stop signs to stop before entering or crossing.

- K. INTERSECTION - The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundry lines of two or more highways which join one another at an angle, whether or not one such highway crosses the other.
- L. CROSSWALK - That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable highway; any portion of a highway at an intersection or elsewhere, distinctively indicated for pedestrian crossing, by lines or other markings on the surface.
- M. RIGHT-OF-WAY - The privilege of the immediate use of a highway.
- N. PARKING - Allowing vehicle to stand or remain, whether or not attended or occupied except when actually engaged in loading or unloading or when obeying traffic signs or regulations.
- O. DOUBLE PARKING - Parking of a vehicle upon the roadway side of another vehicle already parked.
- P. TRAFFIC CONTROL DEVICES - All signs, signals, markings and devices officially placed or erected for the purpose of regulating, warning, protecting or guiding traffic.
- Q. COMMON COUNCIL - The duly constituted legislative body.
- R. VILLAGE MARSHAL - The ranking official in charge of the village police department.

Section 2. This Ordinance is adopted in the interests of public safety, convenience and welfare of the people of the Village of Edwardsburg and every person shall comply with, observe and obey, when applicable to him, or her, or them, all the provisions, requirements and regulations and orders of the common council, adopted or issued in the pursuance hereof. No person shall disobey or refuse to comply with any lawful order, signal or direction of a peace order given said person under the provision of this Ordinance or otherwise.

Section 3. Any person who violates or fails to comply with any provision of this Ordinance or any regulation or order of the common council, under the provisions hereof, adopted or issued in pursuance hereof, shall, upon conviction, be subject to a fine of not more than One Hundred Dollars (\$100.00) or to imprisonment in the County Jail for a period of time not to exceed ninety (90) days, costs of prosecution, or by both such fine and imprisonment, in the discretion of the court.

Section 4. The Village Marshal shall enforce the provisions of this Ordinance and the rules and regulations adopted by the Common Council, in accordance with the provisions of Section "A" hereof.

(a) There is hereby established a police committee to be selected from the trustees of the Common Council, said trustees to be appointed by the Village President, and in conjunction with the Village Marshal, shall:

1. Designate the streets or parts of streets upon which there shall be no parking of vehicles or upon which there shall be parking for a limited time.
2. Exclude or restrict parking on designated streets, or parts of streets, during certain hours.
3. Permit angle parking in designated places.
4. Establish one-way streets and other special routing of traffic.
5. Establish special prima facie speed limits.
6. Cause limit lines to be marked upon pavements and sidewalks for the direction of pedestrians and operators.
7. Prohibit left-hand or right-hand turns by vehicles at designated street corners.
8. Temporarily close any highway or portion of same to restrict the use thereof when required by public safety and convenience.
9. Designate intersections that shall be known as "stop" intersections.
10. Designate through streets.
11. Designate commercial routes and prohibit commercial traffic from using certain highways or parts thereof.
12. Designate loading zones to permit the standing of commercial vehicles for loading and unloading merchandise and materials.
13. Designate building entrances, church entrances or other special public entrances to permit stopping of vehicles for the purpose of loading and unloading passengers.

(b) Rules and regulations adopted in pursuance of this section by the police committee, in conjunction with the Village Marshal, shall be effective upon the erection of signs by or authorized by them, sufficient in number to apprise the ordinary observant person of the existence of the regulation upon the highway or in the district affected.

Section 5. Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and of any other conditions then existing, and no person shall drive any vehicle on a highway at a speed greater than will permit him, her or them to bring it to a stop within the assured clear distance ahead.

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Section 6. No operator of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this ordinance, unless at the time otherwise directed by a police officer.

Section 7. Upon all highways the operator of a vehicle shall drive the same upon the right half of the highway and shall drive a slow moving vehicle as closely as possible to the right-hand edge or curb of such highway unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle, subject to the limitations applicable in overtaking and passing set forth in this section.

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Sec. 5.21 (a) The operator of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof and, when safely clear, such overtaken vehicle shall take up a position as near the right-hand edge of the main traveled portion of the highway as is practicable, provided that a vehicle whose operator has signaled his intention to turn left, and is in the proper lane for such turn, shall not be passed on the left.

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Sec. 5.29 (b) The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the highway.

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Sec. 5.31 (c) Except as otherwise provided in this Section, the operator of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest the right-hand side of the highway and, in turning, shall keep as closely as practicable to the right-hand curb or edge of the highway.

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Sec. 5.31 (d) When intending to turn to the left the operator shall approach such intersection in that portion of the right half of the highway nearest the center-line thereof and, after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center-line of the highway being entered.

Page 89 - Section 7.2

Section 8. Operators of motor vehicles upon the highways and streets of the Village of Edwardsburg shall yield the right-of-way to pedestrians lawfully within the crosswalk of any roadway.

Section 9. No operator shall turn a vehicle around at any highway intersection or within an undivided roadway wherein the available roadway is not of sufficient width to permit of the complete turn of the vehicle in one movement, or when such turn cannot be made in safety or without interference to moving traffic.

(a) No operator shall attempt to avoid obedience to any traffic control device by driving upon or through any private property, or alley.
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Sec. 5.53

(b) No person shall drive, lead or back any vehicle on or along any sidewalk on, in or adjacent to any public street or public place, except as designated by appropriate sign or signal.
Page 61
Sec. 5.48

Page 74 - Section 5.80

Section 10. Every motor vehicle, when operated upon a highway or roadway within the Village, shall be equipped with a horn in good working order, capable of emitting sound audible, under normal conditions, for a distance of not less than two hundred (200) feet; and it shall be unlawful for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle, or for any person, at any time, to use a horn otherwise than as a reasonable warning, or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device, except as may otherwise be provided in this Ordinance.

(a) No motor vehicle operator shall run his motor with the cut-out open or make any other sound disturbances, or operate a vehicle emitting from any source an unreasonable quantity of smoke, noxious gasses or vapor, meaning hereby to prohibit the sounding of any warning device while a vehicle is not in motion, except when necessary to avoid an accident.
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Sec. 5.90

(b) No motor vehicle operator shall drive a motor vehicle upon the highway or roadway while such vehicle is equipped with a defective steering apparatus, broken or defective bumpers or defective windshield.
Page 67
Sec. 5.71 &
Page 77
Sec. 5.87a

Page 94 - Section 8.10

Section 11. No operator shall park a vehicle except in compliance with the lawful directions of a police officer or a traffic control device at any of the following places:

1. On a sidewalk
2. Within an intersection.
3. On a cross-walk.
4. Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal.
5. On the street side of any vehicle parking at the edge or curb of a street.
6. At any place where official signs prohibit parking.

Section 12. It shall be unlawful for any person, firm or corporation to park (as defined in this Ordinance) any motor vehicle on any private property without the expressed or implied consent, authorization or ratification of the owner or holder or occupant or lessee or agent or trustee of such property.

Section 13. This Ordinance and various parts, sections and clauses are hereby declared to be severable. If any part, section or clause is adjudged unconstitutional or invalid it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

Section 14. This Ordinance shall take effect thirty (30) days after its adoption and publication.

G.W. McNabb,
Village President

Adopted September 6, 1955,

Published in the Edwardsburg Argus September 15, 1955

Countersigned:

W.G. Cavern,
Village Clerk.