

AN ORDINANCE NUMBER 216

TO PROVIDE AND DEFINE RULES AND REGULATIONS FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF ROANOKE:

Be it ordained By The City Council of The City of Roanoke, Alabama, as follows:

SECTION: Definitions: The following words and phrases when used in this ordinance shall for the purposes of this ordinance have the meanings respectively ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning.

A: "VEHICLE" - Every device in, upon or by which any person or property is or may be transported or drawn upon a public street, excepting devices moved by human power or used exclusively upon stationary rails or tracks; provided, that for the purposes of this article, a bicycle or a ridden animal shall be deemed a vehicle.

B: "MOTOR VEHICLE" - Every vehicle, as herein defined, which is self propelled.

C: "MOTORCYCLE" - Every motor vehicle designed to travel on not more than three wheels in contact with the ground.

D: "INTERSECTION" - The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more streets which join one another at an angle, whether or not one such street crosses the other.

E: "BUSINESS DISTRICT" - The territory contiguous to a street where fifty per cent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business.

F: "RESIDENCE DISTRICT" - The territory contiguous to a street not comprising a business district when the frontage on such street for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for residence.

G: "PERSON" - Every natural person, firm, co-partnership, association or corporation.

#### SECTION 2: Persons Under The Influence of Intoxicating Liquor or Narcotic Drugs.

It shall be unlawful for any person whether licensed or not who is an habitual user of narcotic drugs, or any person who is under the influence of intoxicating liquor or narcotic drugs to drive any vehicle upon any of the public streets of the City of Roanoke, and upon conviction each person shall be punished by a fine of \$100.00 or by imprisonment in the municipal jail for not less than 30 days nor more than one year, or by both such fine and imprisonment.

SECTION 3: RECKLESS DRIVING, - Any person who drives any vehicle upon the public streets of the City of Roanoke carelessly and heedlessly in wilful wanton disregard of the rights and safety of others, or without due caution and circumspection and at a speed, or in a manner so as to endanger, or be likely to endanger, any person or property shall be guilty of reckless driving and upon conviction shall be

punished by a fine of not less than \$25.00 nor more than \$100.00, or by imprisonment in the municipal jail for a period of not less than 5 days nor more than 90 days, or by both such fine and imprisonment; and on the second or subsequent conviction shall be punished by a fine of not less than \$50.00 nor more than \$100.00, or by imprisonment in the municipal jail for not less than 10 days nor more than six months, or by both such fine and imprisonment.

SECTION 4: RESTRICTIONS AS TO SPEED:-

(A) Any person driving a vehicle on a public street of the City of Roanoke shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the street and of any other conditions then existing and no person shall drive any vehicle upon a public street in the City of Roanoke at such a speed as to endanger the life, limb or property of any person.

(B) Subject to the provisions of subdivision A of this section and except in those instances where a lower speed is specified, it shall be prima facie lawful for the driver of a vehicle to drive the same at a speed not exceeding the following, but in any case when such speed would be unsafe it shall not be unlawful.

1. Fifteen miles an hour when approaching within 50 feet of a Grade crossing of any steam, electric or street railway when the driver's view is obstructed. A driver's view shall be deemed obstructed when at any time during the last two hundred feet of his approach to such crossing and of any traffic on any such railway for a distance of 400 feet in each direction from such crossing.

2. Fifteen miles an hour when passing a school during school recess while children are going to or leaving school during opening and closing hours.

3. Fifteen miles an hour when approaching within 50 feet and in traversing an intersection, of public streets when the driver's view is

obstructed. A driver's view shall be deemed to be obstructed when at any time during the last 50 feet of his approach to such intersection, he does not have a clear and uninterrupted view of such approach to such intersection for a distance of 200 feet from such intersection.

4. Fifteen miles an hour in traveling or going around curves of traversing a grade upon a public street when the driver's view is obstructed within a distance 100 feet along such public street in the direction in which he is proceeding.

5. Twenty miles an hour on any public street in a business district, as defined herein, when the traffic on such public street is controlled at intersections by traffic officers or stop and go signals.

6. Fifteen miles an hour on all other public streets in a business district as defined herein.

7. Twenty miles an hour in a residence district, as defined herein, and in public parks.

It shall be prima facie unlawful for any person to exceed any of the foregoing speed limits. In every charge of violation of this section the complaint, also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed which this section declared shall be prima facie lawful at the place of such alleged violation.

(8) Every person convicted of any violation of any of the provisions of this section, for which another penalty is not provided, shall upon conviction thereof be punished by a fine of not more than \$50.00 or by imprisonment in the municipal jail for not more than 10 days; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than \$75.00 or by imprisonment in the municipal jail for not more than 20 days or by both such fine and imprisonment upon a subsequent or a third conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$100.00 or by imprisonment in the municipal jail

for not more than six months, or by both such fine and imprisonment.

SECTION 5: DRIVING A CAR ON THE PUBLIC STREETS:

(A) Upon all public streets of sufficient width the driver of a vehicle shall drive the vehicle on the right half of the street, and shall drive a slow moving vehicle as close as possible to the right hand edge of the said street unless it is obstructed or impassable, and except when overtaking and passing another vehicle.

(B) In crossing an intersection of public streets or in the intersection of a public street by a railroad right of way the driver of the vehicle shall at all times, drive on the right half of the public street unless such right half is obstructed or impassable.

(C) Except as otherwise provided in this section the driver of a vehicle intending to turn to the right of an intersection shall approach such intersection in the lane of traffic nearest to the right hand side of the public street and in turning shall keep as close as practicable to the right hand curb or edge of the public street and when intending to turn to the left shall approach such intersection in the lane of traffic nearest to the center line of the public street and in turning shall pass beyond the center of the intersection just as close as practicable to the right thereof before turning such vehicle to the left.

For the purpose of this Section, the center of the intersection shall mean the meeting point of the medial lines of the public streets intersecting one another.

(D) When two vehicles approach or enter the intersection of a public street at approximately the same time the driver of the vehicle on the left shall yield the right of way to the vehicle on the right. The Driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have thereunder.

(E) The driver of any vehicle entering a public street from a private road or drive shall yield the right of way to the vehicle approaching upon such street; and the driver of any vehicle upon a public street shall

yield the right of way to police or fire department vehicles when the latter are operated upon official business and the driver thereof audible signals by bell, exhaust or siren-whistle. This provision shall not operate to relieve the driver of a police or fire department vehicle from their duty to drive with due regard for the safety of all persons using the said public streets, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way.

(F) Wherever a sign notifying the driver of a vehicle to come to a full stop upon entering or crossing another street has been erected or placed by the authority of the City Council it shall be unlawful for any person to fail to stop in obedience to the notice given by such sign.

(G) No person shall park any vehicle, or permit it to stand, whether attended or unattended, upon a public street in front of any driveway or within 15 feet in either direction of a fire hydrant or the entrance to a fire station, or within 15 feet of the corner of any intersection.

(H) Any person who violates the provisions of this section shall on conviction be punished by a fine of not more than \$50.00 or by imprisonment in the municipal jail for not more than 10 days.

SECTION 6: Lights, - Every motor vehicle upon the public streets of the City of Roanoke, during the period from a half hour after sunset to a half hour before sunrise, shall be equipped with two head lights at the front of and on opposite sides of the motor vehicle, so constructed, arranged and adjusted that they will during the period of time of day herein mentioned and under normal atmospheric conditions and on a level street produce a driving light sufficient to render clearly discernible a person 200 feet ahead, but shall not project a laring or dazzling light to persons in front of such head lights, and shall also be equipped with a rear lamp which exhibits a red light plainly visible under normal atmospheric conditions from a distance of 500 feet to the rear of

such motor vehicle and so constructed and placed that the number plate carried on the rear of such motor vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of 50 feet to the rear of such vehicle.

SECTION 7: Brakes, - Every motor vehicle when operated upon the public streets of the City of Roanoke shall be equipped with brakes adequate to control the movements of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which shall be affective to apply the brakes to at least two wheels and so constructed that no part which is liable to failure shall be common to two. All such brakes shall be maintained in good working order.

SECTION 8: Certificate of Registration, - It shall be unlawful for any person to operate or drive on the public streets of the City of Roanoke any auto or other motor vehicle unless such auto or motor vehicle shall have a certificate of registration, license plate or tag assigned to it by Secretary of State of the State of Alabama, conspicuously displayed upon the rear of such vehicle, securely fastened.

SECTION 9: Any person who violates either Section 6,7 or 8 of this ordinance shall upon conviction thereof be punished by a fine not exceeding One Hundred Dollars, or by imprisonment in the municipal jail of the City of Roanoke,Alabama, for not exceeding 30 days, or by both such fine and imprisonment.

SECTION 10: That if the provisions of this Ordinance or the application thereof to any person or circumstance shall on appeal be held to be unconstitutional such holdings shall not affect any other provision of this ordinance, or the application of such provision to other persons or circumstances, it being the intent and purpose hereof that each provision hereof shall stand or fall on its own merits and that the judicial annulment or unconstitutionality of any provision thereof shall have no effect upon any other provision not so annulled.

SECTION 11: That all ordinances and parts of ordinances in con-

flict with this ordinance shall be and the same are hereby repealed.

This November 22, 1928.

Attest:

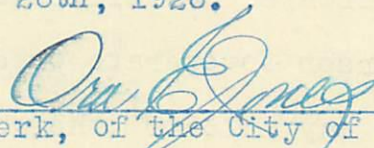
Ora E. Jones, Clerk,  
City of Roanoke, Ala.

Approved by:

B. C. Jones, Mayor, City of Roanoke,  
Ala.

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I, Ora E. Jones, Clerk of the City of Roanoke, hereby certify that the Ordinance No. 216, To provide and define rules and regulations for Traffic upon the Public streets of the City of Roanoke, was passed and adopted by the Mayor and City Council of the City of Roanoke, Alabama, on the 22nd, day of November, 1928, and was herein recorded, and was published in the Roanoke Leader, a newspaper of general circulation in the City of Roanoke, Alabama, on November 28th, 1928.

  
Clerk, of the City of Roanoke, Ala.