

800-09
New Book

AN ORDINANCE TO REGULATE MOTOR VEHICLES; PROVIDING FOR MEANS OF THE ENFORCEMENT AND FURTHER PROVIDING FOR PENALTIES FOR VIOLATIONS; REPEAL OF INCONSISTENT ORDINANCES AND ORDINANCES IN CONFLICT.

WHEREAS, it is deemed necessary by the Common Council of the City of Glenville to prohibit the following offenses in order to protect the property, welfare and safety of the citizens of the City of Glenville; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GLENVILLE, THAT; THE FOLLOWING OFFENSES SHALL BE UNLAWFUL.

Section A-1. U-Turns Prohibited. It shall be unlawful for the driver of any vehicle to make a U-turn on any road, street, or alley located within the corporate limits of the City of Glenville.

Section B-1. Failure to Yield Right of Way when a Vehicle is Approaching or Entering an intersection.

➤ The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway.

➤ When two vehicles enter an intersection from a different highway 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.

Section C-1. Failure to Yield Right of Way when a Vehicle is Entering a Street from a private Road or Driveway. The driver of a vehicle about to enter or cross a street from a private road or driveway shall yield the right of way to all vehicles approaching on said street.

Section D-1. Following Too Closely. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

Section E-1. Officers Authorized to Remove Illegally Stopped or Parked Vehicles.

➤ Whenever any police officer finds a vehicle standing upon any road, street or alley and said vehicle is in violation of any City Ordinance,
Such officer is hereby authorized to move such vehicle to move the same, to a position off the paved or main-traveled part of such

road, street or alley.

➤ Whenever any police officer finds a vehicle unattended upon any road, street or alley or any other place where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety. The owner shall be liable for towing and storage charges.

Section F-1. Illegal Parking. Being the driver of a motor vehicle upon the public highway, road, street or alley in the city limits of the City of Glenville, did stop, stand or park said vehicle, such action not being necessary to avoid conflict with other traffic, in compliance with the State Law of the State of West Virginia, or at the direction of the police officer or traffic-control device such as : the following places will be hereinafter declared “Illegal Parking”. (1) On a sidewalk; (2) In front of a public or private driveway; (3) Within an intersection or on a crosswalk; (4) Within 15 feet of a fire hydrant; (5) In front of a private or public parking lot or across from a private or public parking lot or parking space where such parking would tend to block or block the said private or public parking lot or parking space; (6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic; (7) On the roadway side of any vehicle stopped or parked at the edge or curb of a street; (8) On the edge of a highway, road, street or alley where such parking would or could interfere with the traffic flow; (9) Upon any bridge or other elevated structure or upon a highway or within a highway tunnel; (10) At any place where official signs, prohibit stopping, or when the curb is painted a yellow color, which yellow color shall be an official marking prohibiting stopping or parking; (11) At any parking meter that a bag or sack placed over it, which has been placed there at the direction of the city police force or Mayor of the City of Glenville; (12) In front of any mail receptacle or newspaper receptacle served regularly by a carrier using a motor vehicle for daily deliveries, if such parking interferes with or causes any delay in the carrier’s schedule or delivery of said mail or newspapers; (13) Except as otherwise provided, every vehicle stopped or parked upon a roadway where there are adjacent curbs, shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within 18 inches of the right hand curb and all vehicles will park the same way as the traffic does flow whether there be a curb or not; (14) At any parking meter where time has expired with the exceptions so listed on said parking meters; (15) Across any line or marking designating a parking space, or to park said vehicle in any way that the same shall not wholly be within a parking space as designated by said lines or markings; (16) Block the normal parking space of a private residence.

Section G-1. Traffic Laws Apply to Person Riding Bicycles. Every person riding a bicycle upon any road, street or alley shall be granted all of the rights and shall be subject to all of the city ordinances applicable to the driver of any vehicle within the city

limits of the City of Glenville.

Section H-1. Clinging to Vehicles. No person riding upon any bicycle, sled, coaster, roller skates, or toy vehicle, or other vehicle of any kind, shall attach the same or himself to any streetcar or automobile or any vehicle of any kind on any road, street or alley in order to obtain a ride.

No passenger shall ride or shall the operator of any vehicle permit any person to ride on the running boards, bumper, top of any car, or rear trunk lid, of any motor vehicle while such vehicle is being operated on any road, street or alley of this city.

Section I-1. Passengers in Seat With Operator. No more than three persons including the operator shall ride or be permitted by such operator to ride in the seat with the operator of any motor vehicle while said motor vehicle is being operated on any road, street or alley in this city.

Section J-1. Obstructions of Windows. No person shall operate any vehicle unless its windows are free of snow, ice or objects of any nature which would obstruct the view of the driver in any direction.

Section K-1. Reporting of Accidents. The driver of any vehicle involved in an accident resulting in injury to or death of any person or property damage of \$250.00 or more, shall immediately, by the quickest means of communication, whether oral or written, give notice of such accident to the police department of the City of Glenville if such accident occurs within the city limits of the City of Glenville.

Section L-1. Driving to the Left of Center of Roadway. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

➤When approaching the crest of a grade or upon a curve in the highway, road, street or alley where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

➤When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing.

➤Upon any bridge.

➤Where appropriate official signs and/or markings such as a double line painted or marked by some means on the road which indicate the beginning and end of such roadways and when such signs and/or markings are in place and are clearly visible to an

ordinarily observant person.

Section M-1. Pedestrians' Right of Way at Cross-Walk. The driver of a vehicle will always yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a cross-walk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to yield.

Section N-1. Pedestrians Walking, Standing or Etc. on Roadway. (a) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along or stand or play upon an adjacent roadway. (b) Where sidewalks are not provided any pedestrian walking along or upon a roadway, shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction and no pedestrian will walk or stand or block or tend to block traffic on any roadway at any time and no pedestrian or person will play upon the roadway.

Section O-1. Failure to Obey Citation or Written Promise. It shall be unlawful for any person to violate his written promise to appear that he has given to any City Police Officer, Mayor or City Judge pertaining to any traffic or other citation he has received regardless of the disposition of the charge for which such citation was originally issued.

Section P-1. Citation on Illegally parked or Citation for any Vehicle. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by a city ordinance, the officer finding such vehicle may take its registration number or may take any other identification displayed on the vehicle and shall conspicuously affix to such vehicle a traffic citation, for the driver to appear at a place and time, at least five days after the violation, specified in the citation, to answer to the charge against him. If the driver does not appear in response to the traffic citation, the Traffic Violations Bureau shall send the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued in his name. Ownership of the vehicle shall constitute a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle in violation of the city ordinance or loaned his vehicle which was in violation. The owner of said vehicle is responsible for all violations if the driver fails to comply with citations.

Section Q-1. People Charged With Accessory in Offenses. Every person who commits, attempts to commit, conspires to commit, or knowingly aids or abets in the

commission of, any act in violation of a city ordinance, whether individually or in connection with one or more other persons or as a principal, agent, or accessory, shall be guilty upon conviction of being an accessory, and every person who falsely, fraudulently, forcibly, or willfully induces, caused, coerces, requires, permits, or directs another to violate any provision of a city ordinance is likewise guilty upon conviction of being an accessory.

PENALTIES. Any person violating any one of the provisions in Section A-1, thru and including Section Q-1 of this ordinance shall upon conviction, be fined not less than Ten Dollars (\$10.00), or mor than One hundred Dollars (\$100.00), and/or be imprisoned in the City Jail, or Gilmer County Jail for a term, not exceeding thirty (30) days, or both, for each violation of any one of these provisions of said ordinance.

It is the intent of the Common council of the City of Glenville that each separate Section and/or provision of this ordinance shall be deemed independent of all other Sections and/or provisions herein, and it is further the intention of the Common Council of the City of Glenville that if any provision and/or Section of this ordinance be declared to be invalid, all other Sections and/or provisions therein shall remain valid and in full force and effect, and enforceable.

All ordinances, or parts of ordinances, in conflict herewith, or inconsistent herewith, are hereby repealed to that extent and no further.

This ordinance shall be in effect immediately upon final passage by the Common Council of the City of Glenville.

CERTIFICATE OF ENACTMENT

I, Delbert L. Davidson, Mayor, do hereby certify that the foregoing ordinance with sections A-1, thru and including section Q-1, was lawfully ordained and enacted by the Council of the City of Glenville at the regular session assembled on November 1, 1976, as an emergency ordinance, and said ordinance shall be in immediate force and effect as of November 1, 1976.

Delbert L. Davidson
Mayor

ATTEST:

Edna White
City Recorder