

ORDINANCE No. C-3—26

An Ordinance Governing Traffic Regulations

THE CITY OF FARMINGTON ORDAINS:

PART I.

General Provisions

Section 1. This Ordinance is adopted in the interest of public safety and convenience and is designed to promote the general peace, health, safety, welfare and good government of the City. Every person, firm or corporation shall comply with, observe and obey, when applicable to him or it, all the provisions, requirements and regulations contained herein and the regulations and orders of the Commissioner of Police adopted or issued in pursuance hereof.

Section 2. Any firm or corporation, or person who violates or fails to comply with any provision of this ordinance or any regulation or order of the Commissioner of Police, adopted or issued in pursuance hereof, shall, upon conviction, be subject to a fine of not more than Three Hundred (\$300.00) Dollars, or to imprisonment in the County Jail of Oakland County for a period not to exceed ninety days or to both such fine and imprisonment in the discretion of the Court.

Section 3. This ordinance and the various parts, sections and clause hereof are hereby declared to be severable. If any part, section or clause is adjudged unconstitutional or invalid, it is intended that the balance of the ordinance shall not be affected thereby.

Section 4. For the purposes of this ordinance, except where the context requires a different meaning, the following words shall be deemed to have the following meanings:

Street: Any highway, avenue, boulevard or other road, square or public place open to public travel.

Roadway: That part of the street set apart for the use of vehicles, and usually bounded on paved streets, by curbstones.

Fire Route: Any street so designated by the Commissioner of Police.

Crosswalk: That part of the roadway connecting sidewalks at or near street intersections and at such other places as may be indicated by lines drawn upon the pavement by the police.

Safety Zone: That part of the roadway, adjacent to street car rails, designed for the accommodation of persons waiting for or alighting from street cars or other vehicle and all other places within the roadway, designated and marked by the police as refuge aisles or zones for pedestrians.

One way traffic: Vehicular traffic restricted to move in one direction.

One way streets: A street where one-way traffic is required.

Parking: The standing of a vehicle upon a street whether accompanied or unaccompanied by and operator.

Double parking: The standing of a vehicle upon a street along side of and parallel to another vehicle which is parked at the curb or where the curb would ordinarily be.

Operator: Any person driving or operating a motor vehicle.

Commissioner: Commissioner of Police.

Department: Department of Police.

Limit lines: Chalk, whitewash or similar lines marked upon the pavement or sidewalk to indicate directions and regulations to be observed by pedestrians and others.

Day-time: Time between one hour before sunrise and one hour after sunset.

Night-time: Time between one hour after sunset and one hour before sunrise.

Commercial vehicle: A vehicle designed for the carrying of freight or merchandise, or which bears a designation or sign denoting it is being used at the time for other than pleasure purposes.

Whenever any regulation contained herein is imposed upon a "Vehicle," it shall be construed to refer to the operator thereof, when such reference would be applicable.

Section 5: The commissioner shall enforce the provisions of this ordinance and the rules adopted by him hereunder, subject to provisions hereof, it shall be the duty of the department to direct and control traffic of vehicles and pedestrians.

Section 6: The commissioner of Police shall have power, by rules adopted by him, to:

(a) 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.

(b) Exclude or restrict parking on designated streets during certain hours.

(c) Permit angle parking in designated places.

(d) Establish one way streets.

(e) Cause limit lines to be marked upon pavements and sidewalks for the direction of pedestrians and others.

(f) Prohibit left-hand turns by vehicles at street corners designated.

(g) Establish fire routes.

Except as to rules adopted in pursuance of subdivision (e) hereof, the name of the particular street or part of the same or a description of the district affected by a rule shall be mentioned in such rule.

Provided further, however, that parking shall not be allowed at any time under any circumstances.

(a. Upon a fire route.

(b) At the nearest curb opposite a safety zone.

(c) In the space between a safety zone and the curb nearest thereto.

(d) At a crosswalk.

(e) Within 15 feet of a fire plug.

Section 7: Such rules may be applicable to the entire City or to particular districts or streets as shall seem advisable to the Commissioner. Any rule adopted by the Commissioner may, at any time thereafter be amended or repealed by him. Two official copies of all rules and amendments adopted by the Commissioner shall be kept on file with the Department of Police. One shall be a public record available to inspection by any member of the public at any time. The other shall be kept in the custody of the Commissioner to be used only in case of emergency or in case of destruction or mutilation of the other copy. Printed pamphlets containing all rules and amendments thereto shall be published from time to time by the Commissioner for public distribution.

Section 8: No rule adopted by the Commissioner in pursuance of Section 5 shall become operative:

(a) Until it is included in the official list of rules provided for in Section 7 and filed on file in the records of the department.

(b) Until one or more suitable and durable signs or standards containing the substance of such rule are placed upon or affixed to the street or place affected. The number of such signs shall depend upon the length of the street or the size of the area affected by such rule; but shall be in sufficient number to apprise an ordinarily observant person of the existence of the rule or regulation upon the street or in the district affected. Provided, that regulations evidenced by limit lines need not be further called to the public attention by signs.

Section 9: A rule shall not be enforceable against an alleged violator if at the time of the alleged violation, the sign, standard or limit line, evidencing the existence of such rule, was missing, effaced or mutilated so that an ordinarily observant person, under the same circumstances, would not be apprised of the existence of such rule.

Section 10: No person shall willfully move, destroy, deface, change the wording of, or otherwise interfere with, any sign erected or established by the department. Except as hereinafter provided, no person shall establish, erect or maintain a sign, standard or limit line in violation of one ordained by police authority.

Section 11: When any rule is amended or repealed, the sign evidencing the existence of the same shall be correspondingly changed or removed by the department.

Section 12: Any rule adopted

hereunder by the Commissioner may be superseded by resolution of the Commission. It shall be the duty of the Commissioner, in compliance with any such resolution, to alter, amend or repeal any rule so as to accord with such resolution and immediately to make the necessary changes in the signs evidencing such rule.

Section 13: To assist in the handling and direction of traffic the Department may install and use semaphores, discs, "crow's nests" so-called, raised safety zones or other signs and devices which to the Commissioner may seem advisable.

Section 14: Officers of the Department shall by voice, hand or mechanical signal, direct traffic; but shall not forbid or prevent anyone from proceeding or standing in a manner required or permitted by law; Provided, however, in case of a fire, or other emergency or in case of a parade or other concourse of people, traffic may be directed as conditions may require, notwithstanding the provisions of any ordinance or rule. It shall be a violation of this ordinance for any person to disobey or refuse to comply with any lawful order, signal or direction of a Police Officer pertaining to the control of traffic.

Section 15: The Commissioner shall have authority, when he deems it in the interest of public safety or convenience, temporarily to close any street, alley or portion of the same to vehicular or foot traffic or to divert such traffic therefrom.

Section 16: The Commissioner shall arrange for the printing of this ordinance in pamphlet form for free public distribution. He may also print, in poster form, the entire ordinance or excerpts therefrom, or a synopsis thereof. It shall be the duty of the owner and of the operator of every public garage, taxcab company, or other place where vehicles for hire are kept, and of every barn or garage where three or more motor trucks or busses are garaged to keep posted, in a prominent place, such poster as the Commissioner shall designate.

Section 17: Every person driving or operating a street car, bus, or other vehicle, within the City involved in a grade crossing accident or an accident which causes injury to any person or which results in a vehicle becoming so disabled as to be incapable of being propelled in its usual manner, shall give immediate notice and make full report thereof to the Police Department of the City of Farmington. If a driver or operator of a vehicle involved in an accident is so incapacitated as to be unable to make such a report, it shall be the duty of every other occupant of such vehicle to see that such report is made. In the case of such accident, the Department, if it deems the public interests require it, shall cause an investigation to be made and shall give proper and sufficient notice of the time and place of holding such investigation. The Department shall tabulate all data, statistics and other pertinent information obtained through the operation of this section and make reports of the same to the City Commissioners with recommendations as to means and methods whereby such accidents may be averted and minimized. All records of accidents at street railway crossings shall be separate from other street traffic accident records. The failure to make a report required by this section shall not affect civil rights or remedies.

PART II.

Traffic Regulations

Section 1 Streets cars and busses shall stop on the near side of intersecting streets and not the far side, for the purpose of taking on or discharging passengers: Provided, that, when, in the opinion of the Commissioner, a near side stop would tend to cause danger, inconvenience, or discomfort to passengers at a particular intersection, he may order the far side stop at such intersection and upon notice of such order the street car company operating such cars or busses, its agents or employees, shall comply with the same and shall mark in a manner satisfactory to the Department, the location of the stopping places of such cars or busses.

Street cars and busses shall come to a complete stop before crossing streets designated by the Commissioner and, upon notice of such regulation, shall observe upon the company operating such street cars and busses, its agents and employees, thereafter comply with the same.

The Commissioner shall keep an official copy of all orders served upon any operator of street railway cars and busses.

The driver of any vehicle proceeding upon a street car track in front of a street car shall immediately turn out on the usual warning signal being given by a motorman.

Before starting a street car a motorman shall give a timely warning by sounding the gong.

Section 2. Hand and foot propelled conveyances, push carts and other similar wagons and conveyances shall comply with all

regulations contained herein pertaining to vehicles insofar as the same are applicable to them. Any such cart, fruit or vegetable vending vehicle or other licensed vehicle or stand used for selling nuts, candy, fruit or other articles of food shall, when standing in a place where parking of vehicles is allowed, move from such space upon the request of a Police Officer or operator of a vehicle trying to park there.

Section 3. Every motor vehicle being operated or driven on any street within the limits of the City of Farmington shall be provided, at night time, with two lighted lamps, the light of which shall be visible 200 feet in the direction in which said motor vehicle is headed or proceeding.

Every motor vehicle standing upon any street within the City, at night time, shall be provided with at least one lighted lamp, the light of which shall be visible 200 feet in the direction in which said motor vehicle is headed.

Every motor vehicle standing or being driven upon any street within the City, at night time, except where such vehicle is standing within a radius of 50 feet of a public light or street light, shall also be provided with one lighted lamp which shall display a red light visible from the rear at least 200 feet, and a white light, the rays of which shall shine upon the number plate carried on the rear of such vehicle.

Provided, that bicycles and motorcycles shall be required to display one white lighted lamp, to be displayed on the front of such vehicle so that it shall be visible 100 feet in the direction in which the vehicle is heading or proceeding, and one rear lighted, red lamp visible from the rear 200 feet.

Provided, that every other vehicle, at night time, shall carry at least one lighted front lamp, visible at least 200 feet in the direction such vehicle is proceeding, and shall carry a red light visible at least 200 feet directly to the rear thereof, and if such vehicle is carrying material which projects two or more feet behind or ahead or any distance beyond the sides of such vehicle, then such vehicle shall carry the lights required by this section at the extreme ends of said material and during the day time, shall carry a red flag at such extremity or extremities, which lights and flags besides being visible, respectively from the rear and from both sides of such vehicle, except as to the requirements last mentioned relative to flags and lights to be carried when material projects two or more feet behind or ahead of any distance beyond the sides of such vehicle, shall also be visible from both sides of such vehicle.

terial projects two or more feet behind or ahead of any distance beyond the sides of any vehicle, a horse drawn vehicle shall be obliged to carry only one light, which light shall be attached to such vehicle and shall be visible at least 200 feet directly to the rear thereof, and shall also be visible in the direction such vehicle is proceeding.

Provided, also, that if any motor vehicle is equipped with acetylene, electric or other head or sidelights or with a reflector producing an objectionable glare, such lights shall be extinguished or the glare eliminated by dimming or other satisfactory means, so as to prevent interference with the vision of others on the streets.

Whenever there is not sufficient light upon a street to make all vehicles, persons, or obstacles to travel clearly visible for a distance of at least 100 feet ahead, the front light, which a motor vehicle is required to display, shall, when said vehicle is in motion, throw sufficient light ahead to show such person, vehicle or obstacle to travel upon the roadway straight ahead of the motor vehicle for a distance of at least 100 feet. Any light thrown directly ahead or sideways shall be arranged or adjusted so that no dazzling rays from it or from any reflector shall be at any time more than 3 1/2 feet from the ground on a level road at a distance of 75 feet or more ahead of such vehicle. But the front lights shall be sufficient to enable the operator of the vehicle to see any person, vehicle or obstacle to travel in roadway or side thereof, for 10 feet on each side of the motor vehicle at a point 10 feet ahead of said vehicle; Provided, that the requirements of this paragraph shall not apply to motor vehicles, used for commercial purposes, upon which two or more solid tires or tires other than pneumatics are used. But such vehicles shall otherwise comply with the provisions of this section.

The Commissioner shall, upon application, test any light to determine whether it complies with the provisions of this ordinance. After such test, he shall issue a certificate to the owner, stating whether or not such light complies with the provisions hereof.

One spotlight is permitted provided it is attached to the left hand side of the vehicle and focused so as not to cause a blinding or glaring light likely to interfere with the vision of others on the street.

Section 4. Each automobile and motorcycle operated on any

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