

# TRAFFIC AND VEHICLES

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## CHAPTER 60

# ADMINISTRATION OF TRAFFIC CODE

60.01 Title  
60.02 Definitions  
60.03 Administration and Enforcement  
60.04 Power to Direct Traffic

60.05 Reports of Traffic Accidents  
60.06 Peace Officer's Authority  
60.07 Obedience to Peace Officers

**60.01 TITLE.** Chapters 60 through 70 of this Code of Ordinances may be known and cited as the "State Center Traffic Code" (and are referred to herein as the "Traffic Code.")

**60.02 DEFINITIONS.** Where words and phrases used in the Traffic Code are defined by State law, such definitions apply to their use in said Traffic Code and are adopted by reference. Those definitions so adopted that need further definition or are reiterated, and other words and phrases used herein, have the following meanings:

*(Code of Iowa, Sec. 321.1)*

1. "Business District" means the territory contiguous to and including a highway when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.
2. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
3. "Peace officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
4. "Residence district" means the territory contiguous to and including a highway not comprising a business, suburban or school district, where 40 percent or more of the frontage on such a highway for a distance of 300 feet or more is occupied by dwellings or by dwellings and buildings in use for business.
5. "School district" means the territory contiguous to and including a highway for a distance of 200 feet in either direction from a schoolhouse.
6. "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.
7. "Stop" means when required, the complete cessation of movement.
8. "Stop" or "stopping" means when prohibited, any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control sign or signal.
9. "Suburban district" means all other parts of the City not included in the business, school, or residence districts.
10. "Traffic control device" means all signs, signals, markings, and devices not inconsistent with this chapter, lawfully placed or erected for the purpose of regulating, warning, or guiding traffic.

11. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, street, or alley.

**60.03 ADMINISTRATION AND ENFORCEMENT.** Provisions of this Traffic Code and State law relating to motor vehicles and law of the road are enforced by the Police Chief.

*(Code of Iowa, Sec. 372.13[4])*

**60.04 POWER TO DIRECT TRAFFIC.** A peace officer or, in the absence of a peace officer, any officer of the Fire Department when at the scene of a fire, is authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws. In the event of an emergency, traffic may be directed as conditions require, notwithstanding the provisions of the traffic laws.

*(Code of Iowa, Sec. 102.4 & 321.236[2])*

**60.05 REPORTS OF TRAFFIC ACCIDENTS.** The driver of a vehicle involved in an accident within the limits of the City shall file a report as and when required by the Iowa Department of Transportation. A copy of this report shall be filed with the City for the confidential use of peace officers and shall be subject to the provisions of Section 321.271 of the *Code of Iowa*.

*(Code of Iowa, Sec. 321.273)*

**60.06 PEACE OFFICER'S AUTHORITY.** A peace officer is authorized to stop a vehicle to require exhibition of the driver's license of the driver, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, log book, bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of such vehicle. A peace officer having probable cause to stop a vehicle may require exhibition of the proof of financial liability coverage card issued for the vehicle.

*(Code of Iowa, Sec. 321.492)*

**60.07 OBEDIENCE TO PEACE OFFICERS.** No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control or regulate traffic.

*(Code of Iowa, Sec. 321.229)*

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## CHAPTER 61

# TRAFFIC CONTROL DEVICES

61.01 Installation  
61.02 Crosswalks  
61.03 Traffic Lanes

61.04 Standards  
61.05 Compliance

**61.01 INSTALLATION.** The Police Chief shall cause to be placed and maintained traffic control devices when and as required under this Traffic Code or under State law or emergency or temporary traffic control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate, guide or warn traffic. The Police Chief shall keep a record of all such traffic control devices.

*(Code of Iowa, Sec. 321.255)*

**61.02 CROSSWALKS.** The Police Chief is hereby authorized, subject to approval of the Council by resolution, to designate and maintain crosswalks by appropriate traffic control devices at intersections where, due to traffic conditions, there is particular danger to pedestrians crossing the street or roadway, and at such other places as traffic conditions require.

*(Code of Iowa, Sec. 372.13[4] & 321.255)*

**61.03 TRAFFIC LANES.** The Police Chief is hereby authorized to mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with this Traffic Code. Where such traffic lanes have been marked, it is unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

*(Code of Iowa, Sec. 372.13[4] & 321.255)*

**61.04 STANDARDS.** Traffic control devices shall comply with standards established by *The Manual of Uniform Traffic Control Devices for Streets and Highways*.

*(Code of Iowa, Sec. 321.255)*

**61.05 COMPLIANCE.** No driver of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this chapter, unless at the time otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle under Section 321.231 of the *Code of Iowa*.

*(Code of Iowa, Sec. 321.256)*

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## CHAPTER 62

# GENERAL TRAFFIC REGULATIONS

62.01 Violation of Regulations  
62.02 Play Streets Designated  
62.03 Vehicles on Sidewalks

62.04 Clinging to Vehicle  
62.05 Quiet Zones  
62.06 Obstructing View at Intersections

**62.01 VIOLATION OF REGULATIONS.** Any person who willfully fails or refuses to comply with any lawful order of a peace officer or direction of a Fire Department officer during a fire, or who fails to abide by the applicable provisions of the following Iowa statutory laws relating to motor vehicles and the statutory law of the road is in violation of this section. These sections of the *Code of Iowa* are adopted by reference and are as follows:

1. Section 321.17 – Misdemeanor to violate registration provisions.
2. Section 321.32 – Registration card, carried and exhibited; exception.
3. Section 321.37 – Display of plates.
4. Section 321.38 – Plates, method of attaching, imitations prohibited.
5. Section 321.57 – Operation under special plates.
6. Section 321.67 – Certificate of title must be executed.
7. Section 321.78 – Injuring or tampering with vehicle.
8. Section 321.79 – Intent to injure.
9. Section 321.91 – Penalty for abandonment.
10. Section 321.98 – Operation without registration.
11. Section 321.99 – Fraudulent use of registration.
12. Section 321.104 – Penal offenses against title law.
13. Section 321.115 – Antique vehicles; model year plates permitted.
14. Section 321.174 – Operators licensed.
15. Section 321.174A – Operation of motor vehicles with expired license.
16. Section 321.180 – Instruction permits.
17. Section 321.180B – Graduated driver’s licenses for persons aged fourteen through seventeen.
18. Section 321.193 – Restricted licenses.
19. Section 321.194 – Special minor’s licenses.
20. Section 321.208A – Operation in violation of out-of-service order.
21. Section 321.216 – Unlawful use of license and nonoperator’s identification card.
22. Section 321.216B – Use of driver’s license or nonoperator’s identification card by underage person to obtain alcohol.

23. Section 321.216C – Use of driver’s license or nonoperator’s identification card by underage person to obtain cigarettes or tobacco products.
24. Section 321.218 – Operating without valid driver’s license or when disqualified.
25. Section 321.219 – Permitting unauthorized minor to drive.
26. Section 321.220 – Permitting unauthorized person to drive.
27. Section 321.221 – Employing unlicensed chauffeur.
28. Section 321.222 – Renting motor vehicle to another.
29. Section 321.223 – License inspected.
30. Section 321.224 – Record kept.
31. Section 321.232 – Speed detection jamming devices; penalty.
32. Section 321.234A – All-terrain vehicles.
33. Section 321.235A – Electric personal assistive mobility devices.
34. Section 321.247 – Golf cart operation on City streets.
35. Section 321.257 – Official traffic control signal.
36. Section 321.259 – Unauthorized signs, signals or markings.
37. Section 321.260 – Interference with devices, signs or signals; unlawful possession.
38. Section 321.262 – Leaving scene of traffic accident prohibited; vehicle damage only; removal of vehicles.
39. Section 321.263 – Information and aid.
40. Section 321.264 – Striking unattended vehicle.
41. Section 321.265 – Striking fixtures upon a highway.
42. Section 321.266 – Reporting accidents.
43. Section 321.275 – Operation of motorcycles and motorized bicycles.
44. Section 321.276 – Use of electronic communication device while driving; text-messaging.
45. Section 321.277 – Reckless driving.
46. Section 321.277A – Careless driving.
47. Section 321.278 – Drag racing prohibited.
48. Section 321.281 – Actions against bicyclists.
49. Section 321.284 – Open container; drivers.
50. Section 321.284A – Open container; passengers.
51. Section 321.288 – Control of vehicle; reduced speed.
52. Section 321.295 – Limitation on bridge or elevated structures.
53. Section 321.297 – Driving on right-hand side of roadways; exceptions.

54. Section 321.298 – Meeting and turning to right.
55. Section 321.299 – Overtaking a vehicle.
56. Section 321.302 – Overtaking and passing.
57. Section 321.303 – Limitations on overtaking on the left.
58. Section 321.304 – Prohibited passing.
59. Section 321.306 – Roadways laned for traffic.
60. Section 321.307 – Following too closely.
61. Section 321.308 – Motor trucks and towed vehicles; distance requirements.
62. Section 321.309 – Towing.
63. Section 321.310 – Towing four-wheel trailers.
64. Section 321.312 – Turning on curve or crest of grade.
65. Section 321.313 – Starting parked vehicle.
66. Section 321.314 – When signal required.
67. Section 321.315 – Signal continuous.
68. Section 321.316 – Stopping.
69. Section 321.317 – Signals by hand and arm or signal device.
70. Section 321.318 – Method of giving hand and arm signals.
71. Section 321.319 – Entering intersections from different highways.
72. Section 321.320 – Left turns; yielding.
73. Section 321.321 – Entering through highways.
74. Section 321.322 – Vehicles entering stop or yield intersection.
75. Section 321.323 – Moving vehicle backward on highway.
76. Section 321.323A – Approaching certain stationary vehicles.
77. Section 321.324 – Operation on approach of emergency vehicles.
78. Section 321.324A – Funeral processions.
79. Section 321.329 – Duty of driver; pedestrians crossing or working on highways.
80. Section 321.330 – Use of crosswalks.
81. Section 321.332 – White canes restricted to blind persons.
82. Section 321.333 – Duty of drivers approaching blind persons.
83. Section 321.340 – Driving through safety zone.
84. Section 321.341 – Obedience to signal indicating approach of railroad train or railroad track equipment.
85. Section 321.342 – Stop at certain railroad crossings; posting warning.
86. Section 321.343 – Certain vehicles must stop.
87. Section 321.344 – Heavy equipment at crossing.

88. Section 321.344B – Immediate safety threat; penalty.
89. Section 321.354 – Stopping on traveled way.
90. Section 321.359 – Moving other vehicle.
91. Section 321.362 – Unattended motor vehicle.
92. Section 321.363 – Obstruction to driver's view.
93. Section 321.364 – Vehicles shipping food; preventing contamination by hazardous material.
94. Section 321.365 – Coasting prohibited.
95. Section 321.367 – Following fire apparatus.
96. Section 321.368 – Crossing fire hose.
97. Section 321.369 – Putting debris on highway.
98. Section 321.370 – Removing injurious material.
99. Section 321.371 – Clearing up wrecks.
100. Section 321.372 – School buses.
101. Section 321.381 – Movement of unsafe or improperly equipped vehicles.
102. Section 321.381A – Operation of low-speed vehicles.
103. Section 321.382 – Upgrade pulls; minimum speed.
104. Section 321.383 – Exceptions; slow vehicles identified.
105. Section 321.384 – When lighted lamps required.
106. Section 321.385 – Head lamps on motor vehicles.
107. Section 321.386 – Head lamps on motorcycles and motorized bicycles.
108. Section 321.387 – Rear lamps.
109. Section 321.388 – Illuminating plates.
110. Section 321.389 – Reflector requirement.
111. Section 321.390 – Reflector requirements.
112. Section 321.392 – Clearance and identification lights.
113. Section 321.393 – Color and mounting.
114. Section 321.394 – Lamp or flag on projecting load.
115. Section 321.395 – Lamps on parked vehicles.
116. Section 321.398 – Lamps on other vehicles and equipment.
117. Section 321.402 – Spot lamps.
118. Section 321.403 – Auxiliary driving lamps.
119. Section 321.404 – Signal lamps and signal devices.
120. Section 321.404A – Light-restricting devices prohibited.
121. Section 321.405 – Self-illumination.

122. Section 321.408 – Back-up lamps.
123. Section 321.409 – Mandatory lighting equipment.
124. Section 321.415 – Required usage of lighting devices.
125. Section 321.417 – Single-beam road-lighting equipment.
126. Section 321.418 – Alternate road-lighting equipment.
127. Section 321.419 – Number of driving lamps required or permitted.
128. Section 321.420 – Number of lamps lighted.
129. Section 321.421 – Special restrictions on lamps.
130. Section 321.422 – Red light in front.
131. Section 321.423 – Flashing lights.
132. Section 321.430 – Brake, hitch, and control requirements.
133. Section 321.431 – Performance ability.
134. Section 321.432 – Horns and warning devices.
135. Section 321.433 – Sirens, whistles, and bells prohibited.
136. Section 321.434 – Bicycle sirens or whistles.
137. Section 321.436 – Mufflers, prevention of noise.
138. Section 321.437 – Mirrors.
139. Section 321.438 – Windshields and windows.
140. Section 321.439 – Windshield wipers.
141. Section 321.440 – Restrictions as to tire equipment.
142. Section 321.441 – Metal tires prohibited.
143. Section 321.442 – Projections on wheels.
144. Section 321.444 – Safety glass.
145. Section 321.445 – Safety belts and safety harnesses; use required.
146. Section 321.446 – Child restraint devices.
147. Section 321.449 – Motor carrier safety regulations.
148. Section 321.449A – Rail crew transport drivers.
149. Section 321.449B – Texting or using a mobile telephone while operating a commercial motor vehicle.
150. Section 321.450 – Hazardous materials transportation.
151. Section 321.454 – Width of vehicles.
152. Section 321.455 – Projecting loads on passenger vehicles.
153. Section 321.456 – Height of vehicles; permits.
154. Section 321.457 – Maximum length.
155. Section 321.458 – Loading beyond front.

156. Section 321.460 – Spilling loads on highways.
157. Section 321.461 – Trailers and towed vehicles.
158. Section 321.462 – Drawbars and safety chains.
159. Section 321.463 – Maximum gross weight.
160. Section 321.465 – Weighing vehicles and removal of excess.
161. Section 321.466 – Increased loading capacity; reregistration.

**62.02 PLAY STREETS DESIGNATED.** The Police Chief shall have authority to declare any street or part thereof a play street and cause to be placed appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

*(Code of Iowa, Sec. 321.255)*

**62.03 VEHICLES ON SIDEWALKS.** The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway.

**62.04 CLINGING TO VEHICLE.** No person shall drive a motor vehicle on the streets of the City unless all passengers of said vehicle are inside the vehicle in the place intended for their accommodation. No person riding upon any bicycle, coaster, roller skates, in-line skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

**62.05 QUIET ZONES.** Whenever authorized signs are erected indicating a quiet zone, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

**62.06 OBSTRUCTING VIEW AT INTERSECTIONS.** It is unlawful to allow any tree, hedge, billboard, or other object to obstruct the view of an intersection by preventing persons from having a clear view of traffic approaching the intersection from cross streets. Any such obstruction is deemed a nuisance and in addition to the standard penalty may be abated in the manner provided by Chapter 50 of this Code of Ordinances.

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## CHAPTER 63

# SPEED REGULATIONS

63.01 General

63.02 State Code Speed Limits

63.03 Parks, Cemeteries, and Parking Lots

63.04 Special Speed Zones

63.05 Minimum Speed

**63.01 GENERAL.** Every driver of a motor vehicle on a street 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 street and of any other conditions then existing, and no person shall drive a vehicle on any street at a speed greater than will permit said driver to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law.

*(Code of Iowa, Sec. 321.285)*

**63.02 STATE CODE SPEED LIMITS.** The following speed limits are established in Section 321.285 of the *Code of Iowa* and any speed in excess thereof is unlawful unless specifically designated otherwise in this chapter as a special speed zone.

1. Business District – 20 miles per hour.
2. Residence or School District – 25 miles per hour.
3. Suburban District – 45 miles per hour.

**63.03 PARKS, CEMETERIES, AND PARKING LOTS.** A speed in excess of 15 miles per hour in any public park, cemetery, or parking lot, unless specifically designated otherwise in this chapter, is unlawful.

*(Code of Iowa, Sec. 321.236[5])*

**63.04 SPECIAL SPEED ZONES.** In accordance with requirements of the Iowa Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit listed in Section 63.02 is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe at such location. The following special speed zones have been established:

*(Code of Iowa, Sec. 321.290)*

1. Special 20 MPH Speed Zones. A speed in excess of 20 miles per hour is unlawful on any of the following designated streets or parts thereof.
  - A. Main Street from 5<sup>th</sup> Avenue SW to 5<sup>th</sup> Avenue SE.
  - B. 2<sup>nd</sup> Avenue SW from Main Street to 4<sup>th</sup> Street SW.
  - C. 3<sup>rd</sup> Street NW from 3<sup>rd</sup> Avenue NW to the west corporate limits of the City at 9<sup>th</sup> Avenue NW.
  - D. 3<sup>rd</sup> Avenue SW from Main Street to 4<sup>th</sup> Street SW.
  - E. 2<sup>nd</sup> Street SW from West Main Street to 9<sup>th</sup> Avenue SW.

- F. 5<sup>th</sup> Avenue SE from 4<sup>th</sup> Street SE to East Main Street.
2. Special 25 MPH Speed Zones. A speed in excess of 25 miles per hour is unlawful on any of the following designated streets or parts thereof.
- A. 7<sup>th</sup> Street from the east corporate limits of the City to the west corporate limits of the City.
3. Special 30 MPH Speed Zones. A speed in excess of 30 miles per hour is unlawful on any of the following designated streets or parts thereof.
- A. 4<sup>th</sup> Street (formerly U.S. Highway 30) between the east corporate limits of the City and the intersection of 7<sup>th</sup> Avenue SW.
4. Special 35 MPH Speed Zones. A speed in excess of 35 miles per hour is unlawful on any of the following designated streets or parts thereof.
- A. 9<sup>th</sup> Avenue (formerly U.S. Highway 30) from the west corporate limits of the City to the intersection of 7<sup>th</sup> Avenue SW.
- B. 3<sup>rd</sup> Avenue SW from the north line of the intersection with Highway 30 north 626 feet, at which point 3<sup>rd</sup> Avenue SW shall be deemed residential and subject to the 25 mile per hour zone established in Section 63.02(2).

**63.05 MINIMUM SPEED.** A person shall not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

*(Code of Iowa, Sec. 321.294)*

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## CHAPTER 64

# TURNING REGULATIONS

### 64.01 Turning at Intersections

### 64.02 U-Turns

**64.01 TURNING AT INTERSECTIONS.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

*(Code of Iowa, Sec. 321.311)*

1. Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
2. Approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and after entering the intersection the left turn shall be made so as to depart from the intersection to the right of the centerline of the roadway being entered.
3. Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the centerline of the street being entered upon leaving the intersection.

The Police Chief may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct, as traffic conditions require, that a different course from that specified above be traveled by vehicles turning at intersections, and when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs.

**64.02 U-TURNS.** It is unlawful for a driver to make a U-turn except at an intersection; however, U-turns are prohibited within the business district, at the following designated intersections and at intersections where there are automatic traffic signals.

*(Code of Iowa, Sec. 321.236[9])*

- NONE -

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## ORDINANCE NO. 369

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STATE CENTER, IOWA, BY AMENDING SUBSECTION 65.01 THROUGH STREETS, 65.02 STOP REQUIRED, 65.03 FOUR-WAY STOP INTERSECTIONS AND 65.04 YIELD REQUIRED TO READ AS BELOW

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STATE CENTER, IOWA:

**Section 1. SECTIONS MODIFIED.** Subsection 65.01, 65.02, 65.03 and 65.04 of the Code of Ordinances for the City of State Center, Iowa, are amended to read as follows:

**65.01 THROUGH STREETS.** Every driver of a vehicle shall stop, unless a yield is permitted by this chapter, before entering an intersection with the following designated through streets.

*(Code of Iowa, Sec. 321.345)*

1. Main Street from 5<sup>th</sup> Avenue SE to the intersection of Main Street with 2<sup>nd</sup> Street SW.
2. 5<sup>th</sup> Avenue SE from 4<sup>th</sup> Street SE to Main Street.
3. 2<sup>nd</sup> Street SW from its intersection with Main Street to 9<sup>th</sup> Avenue SW (formerly U.S. Highway No. 30).
4. 1<sup>st</sup> Avenue South from Main Street to its intersection with 4<sup>th</sup> Street SE and SW.
5. 1<sup>st</sup> Avenue North from Main Street to the north corporate limits of the City.
6. All of 4<sup>th</sup> Street SE and all of 4<sup>th</sup> Street SW, excluding intersection at 3<sup>rd</sup> Ave SW.
7. 2<sup>nd</sup> Avenue SW from Main Street to its intersection with 4<sup>th</sup> Street SW.
8. 2<sup>nd</sup> Avenue NW from Main Street to the north corporate limits of the City.
9. 3<sup>rd</sup> Avenue SW from Main Street to the south corporate limits of the City, excluding intersection at 4<sup>th</sup> St SW.
10. 3<sup>rd</sup> Avenue NW from Main Street to 3<sup>rd</sup> Street NW.
11. 2<sup>nd</sup> Avenue SE from Main Street to 4<sup>th</sup> Street SE.
12. 3<sup>rd</sup> Avenue NE from Main Street to the north corporate limits of the City.
13. 3<sup>rd</sup> Street NW from 3<sup>rd</sup> Avenue NW to 9<sup>th</sup> Avenue NW.
14. All of 9<sup>th</sup> Avenue SW and all of 9<sup>th</sup> Avenue NW.

**65.02 STOP REQUIRED.** Every driver of a vehicle shall stop in accordance with the following:

*(Code of Iowa, Sec. 321.345)*

1. Vehicles traveling east or west on 7<sup>th</sup> St NW/NE approaching the intersection of 1<sup>st</sup> Ave N are required to stop before entering the intersection from either direction.
2. Vehicles traveling east on 6<sup>th</sup> St NW approaching the intersection of 1<sup>st</sup> Ave N are required to stop before entering the intersection.
3. Vehicles traveling east or west on 5<sup>th</sup> St NW/NE approaching the intersections of 1<sup>st</sup> Ave N and 2<sup>nd</sup> Ave NE are required to stop before entering the intersections from either direction.
4. Vehicles traveling east or west on 4<sup>th</sup> St NW/NE approaching the intersections of 1<sup>st</sup> Ave N and 2<sup>nd</sup> Ave NE are required to stop before entering the intersections from either direction.

5. Vehicles traveling east or west on 3<sup>rd</sup> St NW/NE approaching the intersections of 9<sup>th</sup> Ave NW, Park Place, 3<sup>rd</sup> Ave NW, 2<sup>nd</sup> Ave NW, 1<sup>st</sup> Ave N are required to stop before entering the intersections from either direction.
6. Vehicles traveling east or west on 2<sup>nd</sup> St NW/NE approaching the intersections of 9<sup>th</sup> Ave NW, 3<sup>rd</sup> Ave NW, 2<sup>nd</sup> Ave NW, 1<sup>st</sup> Ave N are required to stop before entering the intersections from either direction.
7. Vehicles traveling west on 2<sup>nd</sup> St SW/SE approaching the intersections of 9<sup>th</sup> Ave SW, W Main St, 2<sup>nd</sup> Ave SW, 1<sup>st</sup> Ave S, 2<sup>nd</sup> Ave SE are required to stop before entering the intersections.
8. Vehicles traveling east on 2<sup>nd</sup> St SW/SE approaching the intersections of 3<sup>rd</sup> Ave SW, 1<sup>st</sup> Ave S, 2<sup>nd</sup> Ave SE are required to stop before entering the intersections.
9. Vehicles traveling west on 3<sup>rd</sup> St SW/SE approaching the intersections of 4<sup>th</sup> Ave SE, 2<sup>nd</sup> Ave SE, 1<sup>st</sup> Ave S, 2<sup>nd</sup> Ave SW, 3<sup>rd</sup> Ave SW, 9<sup>th</sup> Ave SW are required to stop before entering the intersections.
10. Vehicles traveling east on 3<sup>rd</sup> St SW/SE approaching the intersections of 3<sup>rd</sup> Ave SW, 2<sup>nd</sup> Ave SW, 1<sup>st</sup> Ave S, 2<sup>nd</sup> Ave SE, 4<sup>th</sup> Ave SE are required to stop before entering the intersections.
11. Vehicles traveling west on 5<sup>th</sup> St SW/SE approaching the intersections of 3<sup>rd</sup> Ave SE, 7<sup>th</sup> Ave SW are required to stop before entering the intersections.
12. Vehicles traveling east on 5<sup>th</sup> St SW/SE approaching the intersections of 7<sup>th</sup> Ave SW, 3<sup>rd</sup> Ave SW, 6<sup>th</sup> Ave SE are required to stop before entering the intersections.
13. Vehicles traveling west on 6<sup>th</sup> St SW/SE approaching the intersection of 2<sup>nd</sup> Ave SW, 3<sup>rd</sup> Ave SW are required to stop before entering the intersection.
14. Vehicles traveling east on 6<sup>th</sup> St SW/SE approaching the intersections of 3<sup>rd</sup> Ave SW, 6<sup>th</sup> Ave SE are required to stop before entering the intersections.
15. Vehicles traveling north on 9<sup>th</sup> Ave NW approaching the intersection of 7<sup>th</sup> St NW are required to stop before entering the intersection.
16. Vehicles traveling north on 7<sup>th</sup> Ave SW approaching the intersections of 4<sup>th</sup> St SW, 3<sup>rd</sup> St SW, 2<sup>nd</sup> St SW are required to stop before entering the intersection.
17. Vehicles traveling south on 7<sup>th</sup> Ave SW approaching the intersections of 3<sup>rd</sup> St SW, 4<sup>th</sup> St SW, 5<sup>th</sup> St SW are required to stop before entering the intersection.
18. Vehicles traveling north on 6<sup>th</sup> Ave SW approaching the intersections of 3<sup>rd</sup> St SW, 2<sup>nd</sup> St SW are required to stop before entering the intersections.
19. Vehicles traveling south on 6<sup>th</sup> Ave SW approaching the intersections of 3<sup>rd</sup> St SW, 4<sup>th</sup> St SW are required to stop before entering the intersections.
20. Vehicles traveling north on 5<sup>th</sup> Ave SW approaching the intersections of 4<sup>th</sup> St SW, 3<sup>rd</sup> St SW, 2<sup>nd</sup> St SW are required to stop before entering the intersections.
21. Vehicles traveling south on 5<sup>th</sup> Ave SW approaching the intersections of 3<sup>rd</sup> St SW, 4<sup>th</sup> St SW are required to stop before entering the intersections.
22. Vehicles traveling north and south on 4<sup>th</sup> Ave SW approaching the intersections of 4<sup>th</sup> St SW, 3<sup>rd</sup> St SW are required to stop before entering the intersections.
23. Vehicles traveling south on 3<sup>rd</sup> Ave SW approaching 240<sup>th</sup> St (US Highway 30) are required to stop before entering the intersection.
24. Vehicles traveling north on 2<sup>nd</sup> Ave SW/NW approaching the intersections of 6<sup>th</sup> St SW, 4<sup>th</sup> St SW, 7<sup>th</sup> St NW are required to stop before entering the intersections.
25. Vehicles traveling south on 2<sup>nd</sup> Ave SW/NW approaching the intersections of 4<sup>th</sup> St SW, 6<sup>th</sup> St SW are required to stop before entering the intersections.
26. Vehicles traveling north or south on 1<sup>st</sup> Ave S/N approaching the intersection of 4<sup>th</sup> St SE are required to stop before entering the intersection.

27. Vehicles traveling north on 2<sup>nd</sup> Ave SE/NE approaching the intersections of E Main St, 7<sup>th</sup> St NE are required to stop before entering the intersections.
28. Vehicles traveling south on 2<sup>nd</sup> Ave SE/NE approaching the intersections of 4<sup>th</sup> St SE are required to stop before entering the intersection.
29. Vehicles traveling north on 3<sup>rd</sup> Ave SE/NE approaching the intersections of 4<sup>th</sup> St SE, E Main St, 7<sup>th</sup> St NE are required to stop before entering the intersections.
30. Vehicles traveling south on 3<sup>rd</sup> Ave SE/NE approaching the intersections of E Main, 3<sup>rd</sup> St SE are required to stop before entering the intersection.
31. Vehicles traveling north on 4<sup>th</sup> Ave SE/NE approaching the intersections of E Main, 7<sup>th</sup> St NE are required to stop before entering the intersections.
32. Vehicles traveling south on 4<sup>th</sup> Ave SE/NE approaching the intersections of 4<sup>th</sup> St SE are required to stop before entering the intersections.
33. Vehicles traveling north on 6<sup>th</sup> Ave SE approaching the intersection of 4<sup>th</sup> St SE/235<sup>th</sup> St are required to stop before entering the intersection.
34. Vehicles traveling south on 5<sup>th</sup> Ave SE approaching the intersection of 4<sup>th</sup> St SE are required to stop before entering the intersection.
35. Vehicles traveling south on curve from 230<sup>th</sup> St to 9<sup>th</sup> Ave NW must stop before entering 9<sup>th</sup> Ave NW.

**65.03 4-way STOP Intersections** Every driver of a vehicle shall stop before entering the following designated four-way stop intersections:

*(Code of Iowa, Sec. 321.345)*

1. Intersection of 4<sup>th</sup> St SW and 3<sup>rd</sup> Ave SW
2. Intersection of W Main St and 3<sup>rd</sup> Avenue NW/SW
3. Intersection of W Main St and 2<sup>nd</sup> Avenue NW/SW
4. Intersection of W Main St and 1<sup>st</sup> Avenue N/S
5. 4<sup>th</sup> Ave SE and 2<sup>nd</sup> St SE

**65.04 Yield Required** Every driver of a vehicle shall stop before entering the following designated four-way stop intersections:

*(Code of Iowa, Sec. 321.345)*

1. Vehicles traveling east or west on 5<sup>th</sup> St SW approaching 4<sup>th</sup> Ave SW must yield to the north/south traffic of 4<sup>th</sup> Ave SW.
2. Vehicles traveling west on 6<sup>th</sup> St NW approaching 2<sup>nd</sup> Ave NW must yield to the north/south traffic of 2<sup>nd</sup> Ave NW.
3. Vehicles traveling west on 5<sup>th</sup> St NW approaching 2<sup>nd</sup> Ave NW must yield to the north/south traffic of 2<sup>nd</sup> Ave NW.
4. Vehicles traveling west on 4<sup>th</sup> St NW approaching 2<sup>nd</sup> Ave NW must yield to the north/south traffic of 2<sup>nd</sup> Ave NW.
5. Vehicles traveling east or west on 5<sup>th</sup> St NE approaching 3<sup>rd</sup> Ave NE must yield to the north/south traffic of 3<sup>rd</sup> Ave NW.
6. Vehicles traveling east or west on 4<sup>th</sup> St NE approaching 3<sup>rd</sup> Ave NE must yield to the north/south traffic of 3<sup>rd</sup> Ave NW.

7. Vehicles traveling east or west on 3rd St NE approaching 3rd Ave NE must yield to the north/south traffic of 3rd Ave NW.
8. Vehicles traveling east or west on 2nd St NE approaching 3rd Ave NE must yield to the north/south traffic of 3rd Ave NW.
9. Vehicles traveling north or south on 2nd Ave NE approaching 3rd St NE must yield to the east/west traffic of 3rd St NW.
10. Vehicles traveling east or west on 2nd St SE approaching 3rd Ave SE must yield to the north/south traffic of 3rd Ave SE.
11. Vehicles traveling east or west on 2<sup>nd</sup> St SE approaching 5<sup>th</sup> Ave SE must yield to the north/south traffic of 5<sup>th</sup> Ave SE.
12. Vehicles traveling east or west on 3<sup>rd</sup> St SE approaching 5<sup>th</sup> Ave SE must yield to the north/south traffic of 5<sup>th</sup> Ave SE.
13. Vehicles traveling east on 6<sup>th</sup> St SE approaching 3<sup>rd</sup> Ave SE must yield to the north/south traffic of 3<sup>rd</sup> Ave SE.

**Section 2. REPEALER.** All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3. SEVERABILITY CLAUSE.** If any section, provision, or part of this Ordinance shall be adjudged invalid, unconstitutional, or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

**Section 4. WHEN EFFECTIVE.** This ordinance shall be in effect after its final passage, approval and publication as provided by law.

**1st Reading, April 19, 2022:**

Motion by Shaffar second by Grant, that Ordinance 369, **amending sections 65.01 Through Streets, 65.02 Stop Required, 65.03 Four-way Stop Intersections and 65.04 Yield Required of the code of ordinances of the City of State Center, Iowa, by updating the provisions for these four code subsections**, be given its first reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Aye Grant: Aye

**2nd Reading, May 17, 2022:**

Motion by Darrow, second by Shaffar, that Ordinance 369, **amending sections 65.01 Through Streets, 65.02 Stop Required, 65.03 Four-way Stop Intersections and 65.04 Yield Required of the code of ordinances of the City of State Center, Iowa, by updating the provisions for these four code subsections**, be given its second reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Aye Grant: Absent

**3rd Reading, June 21, 2022:**

Motion by Darrow, second by Nichols, that Ordinance 369, **amending sections 65.01 Through Streets, 65.02 Stop Required, 65.03 Four-way Stop Intersections and 65.04 Yield Required of the code of ordinances of the City of State Center, Iowa, by updating the provisions for these four code subsections**, be given its third and final reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Aye Grant: Aye

\*\*\*\*\*

Motion by Darrow, 2<sup>nd</sup> by Nichols that Ordinance 369, an ordinance amending sections 65.01 Through Streets, 65-02 Stop Required, 65.03 Four-way Stop Intersections and 65.04 Yield Required of the code of ordinances of the City of State Center, Iowa, by updating the provisions for these four code subsections, be given its third and final reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Aye Grant: Aye

  
\_\_\_\_\_  
Craig Pfantz, Mayor

Attest:

  
\_\_\_\_\_  
Lori Bearden, City Clerk

Ordinance 369 is in effect upon publication in the Mid Iowa Enterprise.

I certify that the forgoing was published as Ordinance 369 on the 30 day of June 2022.

(Seal)

  
\_\_\_\_\_  
Lori Bearden, City Clerk



X Sec new Ord. 369

## CHAPTER 65

### STOP OR YIELD REQUIRED

65.01 Through Streets  
65.02 Stop Required  
65.03 Four-Way Stop Intersections  
65.04 Yield Required

65.05 School Stops  
65.06 Stop Before Crossing Sidewalk  
65.07 Stop When Traffic Is Obstructed  
65.08 Yield to Pedestrians in Crosswalks

~~65.01~~ **THROUGH STREETS.** Every driver of a vehicle shall stop, unless a yield is permitted by this chapter, before entering an intersection with the following designated through streets.

*(Code of Iowa, Sec. 321.345)*

1. Main Street from 5<sup>th</sup> Avenue SE to the intersection of Main Street with 2<sup>nd</sup> Street SW.
2. 5<sup>th</sup> Avenue SE from 4<sup>th</sup> Street SE to Main Street.
3. 2<sup>nd</sup> Street SW from its intersection with Main Street to 9<sup>th</sup> Avenue SW (formerly U.S. Highway No. 30).
4. 1<sup>st</sup> Avenue South from Main Street to its intersection with 4<sup>th</sup> Street SE and SW.
5. 1<sup>st</sup> Avenue North from Main Street to the north corporate limits of the City.
6. All of 4<sup>th</sup> Street SE and all of 4<sup>th</sup> Street SW.
7. 2<sup>nd</sup> Avenue SW from Main Street to its intersection with 4<sup>th</sup> Street SW.
8. 2<sup>nd</sup> Avenue NW from Main Street to the north corporate limits of the City.
9. 3<sup>rd</sup> Avenue SW from Main Street to the south corporate limits of the City.
10. 3<sup>rd</sup> Avenue NW from Main Street to 3<sup>rd</sup> Street NW.
11. 2<sup>nd</sup> Avenue SE from Main Street to 4<sup>th</sup> Street SE.
12. 3<sup>rd</sup> Avenue NE from Main Street to the north corporate limits of the City.
13. 3<sup>rd</sup> Street NW from 3<sup>rd</sup> Avenue NW to 9<sup>th</sup> Avenue NW.
14. All of 9<sup>th</sup> Avenue SW and all of 9<sup>th</sup> Avenue NW.
15. 5<sup>th</sup> Street SW from 3<sup>rd</sup> Avenue SW to the west corporate limits of the City.

~~65.02~~ **STOP REQUIRED.** Every driver of a vehicle shall stop in accordance with the following:

*(Code of Iowa, Sec. 321.345)*

1. Vehicles approaching an intersection of Main Street on 4<sup>th</sup> Avenue SE or 3<sup>rd</sup> Avenue SE or 3<sup>rd</sup> Avenue NE or 2<sup>nd</sup> Avenue SE or 1<sup>st</sup> Avenue North or 1<sup>st</sup> Avenue South or 2<sup>nd</sup> Avenue NW or 2<sup>nd</sup> Avenue SW or 3<sup>rd</sup> Avenue NW or 3<sup>rd</sup> Avenue SW shall stop before entering such intersection.
2. Vehicles approaching an intersection of Main Street from the east on 2<sup>nd</sup> Street SW shall stop before entering the intersection.

3. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue NW from either direction on 3<sup>rd</sup> Street NW shall stop before entering the intersection.
4. Vehicles approaching the intersection of 1<sup>st</sup> Avenue North and 1<sup>st</sup> Avenue South from either direction on Main Street shall stop before entering the intersection.
5. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue NW and 2<sup>nd</sup> Avenue SW from either direction on Main Street shall stop before entering the intersection.
6. Vehicles approaching the intersection of 3<sup>rd</sup> Avenue NW and 3<sup>rd</sup> Avenue SW from either direction on Main Street shall stop before entering the intersection.
7. Vehicles approaching the intersection of 3<sup>rd</sup> Avenue NW on 2<sup>nd</sup> Street NW shall stop before entering the intersection.
8. Vehicles approaching the intersection of 7<sup>th</sup> Street NE from the south on 4<sup>th</sup> Avenue NE or 3<sup>rd</sup> Avenue NE or 2<sup>nd</sup> Avenue NE or 2<sup>nd</sup> Avenue NW shall stop before entering the intersection.
9. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue NE from either direction on 4<sup>th</sup> Street NE shall stop before entering the intersection.
10. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue SW from the east on 2<sup>nd</sup> Street SW shall stop before entering the intersection.
11. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue SW from either direction on 3<sup>rd</sup> Street SW shall stop before entering the intersection.
12. Vehicles approaching the intersection of 3<sup>rd</sup> Avenue SW from either direction on 3<sup>rd</sup> Street SW shall stop before entering the intersection.
13. Vehicles approaching the intersection of 3<sup>rd</sup> Avenue SW from the west on 2<sup>nd</sup> Street SW shall stop before entering the intersection.
14. Vehicles approaching the intersection of 2<sup>nd</sup> Street SW from the south on 5<sup>th</sup> Avenue SW or 6<sup>th</sup> Avenue SW or 7<sup>th</sup> Avenue SW shall stop before entering the intersection.
15. Vehicles approaching the intersection of 3<sup>rd</sup> Street SW from either direction on 5<sup>th</sup> Avenue SW shall stop before entering the intersection.
16. Vehicles approaching the intersection of 3<sup>rd</sup> Avenue SW from the west on 5<sup>th</sup> Street SW or from the west on 6<sup>th</sup> Street SW shall stop before entering the intersection.
17. Vehicles approaching the intersection of 3<sup>rd</sup> Avenue SW from the east on 7<sup>th</sup> Street SW shall stop before entering the intersection.
18. Vehicles approaching the intersections of 1<sup>st</sup> Avenue N, 2<sup>nd</sup> Avenue NW and 3<sup>rd</sup> Avenue NW from the east on Railroad Street shall stop before entering the intersections.
19. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue SE from either direction on 2<sup>nd</sup> Street SE shall stop before entering the intersection.
20. Vehicles approaching the intersection of 5<sup>th</sup> Avenue SE on East Main Street shall stop before entering the intersection.
21. Vehicles approaching the intersection of 3<sup>rd</sup> Street SE from the north on 3<sup>rd</sup> Avenue SE shall stop before entering the intersection.

22. Vehicles approaching the intersection of 4<sup>th</sup> Avenue on 3<sup>rd</sup> Street SE shall stop before entering the intersection.
23. Vehicles eastbound on 6<sup>th</sup> Street SE approaching 6<sup>th</sup> Avenue SE from the west are required to stop before entering that intersection.
24. Vehicles traveling north or south on 2<sup>nd</sup> Avenue SW approaching 6<sup>th</sup> Street SW from the south and north are required to stop before entering that intersection; vehicles traveling north on 2<sup>nd</sup> Avenue SW approaching the 6<sup>th</sup> Street SW extension within Crème de la Rose subdivision from the south are required to stop at that intersection.
25. Vehicles traveling north on 3<sup>rd</sup> Avenue SE approaching 4<sup>th</sup> Street SE are required to stop before entering that intersection.
26. Vehicles traveling north or south on 7<sup>th</sup> Avenue SW approaching 3<sup>rd</sup> Street SW are required to stop before entering that intersection.
27. Vehicles traveling north or south on 4<sup>th</sup> Avenue SW approaching 3<sup>rd</sup> Street SW are required to stop before entering that intersection.
28. Vehicles traveling south on 3<sup>rd</sup> Avenue SE approaching 3<sup>rd</sup> Street SE are required to stop before entering that intersection.
29. Vehicles traveling north or south on 2<sup>nd</sup> Avenue NE approaching 2<sup>nd</sup> Street NE are required to stop before entering that intersection.
30. Vehicles traveling west on 3<sup>rd</sup> Street NW approaching 2<sup>nd</sup> Avenue NW are required to stop before entering that intersection.
31. Vehicles traveling east or west on 2<sup>nd</sup> Street NW approaching 2<sup>nd</sup> Avenue NW are required to stop before entering that intersection.

**65.03 FOUR-WAY STOP INTERSECTIONS.** Every driver of a vehicle shall stop before entering the following designated four-way stop intersections:

*(Code of Iowa, Sec. 321.345)*

1. Intersection of 3<sup>rd</sup> Avenue NW and 3<sup>rd</sup> Street NW.
2. Intersection of 5<sup>th</sup> Street SW and 7<sup>th</sup> Avenue SW.
3. Intersection of 4<sup>th</sup> Avenue and 2<sup>nd</sup> Street SE.
4. Intersection of 4<sup>th</sup> Street SW and 3<sup>rd</sup> Avenue SW.

**65.04 YIELD REQUIRED.** Every driver of a vehicle shall yield in accordance with the following:

*(Code of Iowa, Sec. 321.345)*

1. Vehicles approaching an intersection of any designated through street from any direction on any other street that has not been designated a stop intersection by other provisions of this chapter except vehicles approaching the intersection of 3<sup>rd</sup> Avenue SW on 4<sup>th</sup> Street SW from either the west or the east.
2. Vehicles approaching the intersection of 3<sup>rd</sup> Street NE from either direction on 2<sup>nd</sup> Avenue NE shall yield the right-of-way to vehicles on 3<sup>rd</sup> Street NE.
3. Vehicles approaching the intersection of 2<sup>nd</sup> Street NE from either direction on 2<sup>nd</sup> Avenue NE shall yield the right-of-way to vehicles on 2<sup>nd</sup> Street NE.

4. Vehicles approaching the intersection of 3<sup>rd</sup> Street SW from either direction on 6<sup>th</sup> Avenue SW shall yield the right-of-way to vehicles on 3<sup>rd</sup> Street SW.
5. Vehicles approaching the intersection of 5<sup>th</sup> Street SW from either direction on 4<sup>th</sup> Avenue SW or on 5<sup>th</sup> Avenue SW shall yield the right-of-way to vehicles on 5<sup>th</sup> Street SW.
6. Vehicles approaching the intersection of 2<sup>nd</sup> Avenue NE from either direction on 5<sup>th</sup> Street NE shall yield the right-of-way to vehicles on 2<sup>nd</sup> Avenue NE.
7. Vehicles westbound on 6<sup>th</sup> Avenue SE approaching 3<sup>rd</sup> Avenue SE from the east shall yield the right-of-way at that intersection.
8. Vehicles traveling west on 5<sup>th</sup> Street SE or west on 6<sup>th</sup> Street SE shall yield the right-of-way to vehicles on 3<sup>rd</sup> Avenue SE.
9. Vehicles traveling east or west on 2<sup>nd</sup> Street SE shall yield the right-of-way to vehicles on 3<sup>rd</sup> Avenue SE.

**65.05 SCHOOL STOPS.** At the following school crossing zones every driver of a vehicle approaching said zone shall bring the vehicle to a full stop at a point 10 feet from the approach side of the crosswalk marked by an authorized school stop sign and thereafter proceed in a careful and prudent manner until the vehicle shall have passed through such school crossing zone.

*(Code of Iowa, Sec. 321.249)*

1. Vehicles traveling north or south on 2<sup>nd</sup> Avenue SW approaching 2<sup>nd</sup> Street SW, and vehicles traveling north or south on 2<sup>nd</sup> Avenue SW approaching 3<sup>rd</sup> Street SW, and vehicles traveling north or south on 3<sup>rd</sup> Avenue SW approaching 2<sup>nd</sup> Street SW, and vehicles traveling north or south on 3<sup>rd</sup> Avenue SW approaching 3<sup>rd</sup> Street SW are required to stop before entering that intersection while school is in session as indicated by display of the stop sign being flipped down and visible to oncoming traffic.

**65.06 STOP BEFORE CROSSING SIDEWALK.** The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter shall proceed into the sidewalk area only when able to do so without danger to pedestrian traffic and shall yield the right-of-way to any vehicular traffic on the street into which the vehicle is entering.

*(Code of Iowa, Sec. 321.353)*

**65.07 STOP WHEN TRAFFIC IS OBSTRUCTED.** Notwithstanding any traffic control signal indication to proceed, no driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle.

**65.08 YIELD TO PEDESTRIANS IN CROSSWALKS.** Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

*(Code of Iowa, Sec. 321.327)*

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## CHAPTER 66

# LOAD AND WEIGHT RESTRICTIONS

66.01 Temporary Embargo  
66.02 Permits for Excess Size and Weight  
66.03 Load Limits Upon Certain Streets

66.04 Load Limits on Bridges  
66.05 Truck Routes

**66.01 TEMPORARY EMBARGO.** If the Council declares an embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs.

*(Code of Iowa, Sec. 321.471 & 472)*

**66.02 PERMITS FOR EXCESS SIZE AND WEIGHT.** The Police Chief may, upon application and good cause being shown, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law or the City over those streets or bridges named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance.

*(Code of Iowa, Sec. 321.473 & 321E)*

**66.03 LOAD LIMITS UPON CERTAIN STREETS.** When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the streets or parts of streets for which said signs are erected.

*(Code of Iowa, Sec. 321.473 & 475)*

**66.04 LOAD LIMITS ON BRIDGES.** Where it has been determined that any City bridge has a capacity less than the maximum permitted on the streets of the City, or on the street serving the bridge, the Police Chief may cause to be posted and maintained signs on said bridge and at suitable distances ahead of the entrances thereof to warn drivers of such maximum load limits. No person shall drive upon said bridge any vehicle weighing, loaded or unloaded, in excess of such posted limit.

*(Code of Iowa, Sec. 321.471)*

**66.05 TRUCK ROUTES.** Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing five tons or more, when loaded or empty, having no fixed terminal within the City of making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

- A. 5<sup>th</sup> Avenue SE.
- B. 4<sup>th</sup> Street SE.
- C. 4<sup>th</sup> Street SW.
- D. 3<sup>rd</sup> Street NW from the west corporate limits of the City to 3<sup>rd</sup> Avenue NW.

- E. 3<sup>rd</sup> Avenue NW.
  - F. 3<sup>rd</sup> Avenue SW.
  - G. 3<sup>rd</sup> Avenue NE from the intersection of Main Street to 2<sup>nd</sup> Street NE.
  - H. Main Street from the intersection of 3<sup>rd</sup> Avenue SW east to 5<sup>th</sup> Avenue SE.
  - I. Main Street from the intersection of 3<sup>rd</sup> Avenue SW west to 2<sup>nd</sup> Street SW.
  - J. 1<sup>st</sup> Avenue N.
  - K. 1<sup>st</sup> Avenue S.
  - L. 9<sup>th</sup> Avenue NW from the northwest City limits to 4<sup>th</sup> Street SW.
  - M. 7<sup>th</sup> Avenue SW from the intersection of 4<sup>th</sup> Street SW to 5<sup>th</sup> Street SW.
  - N. 5<sup>th</sup> Street SW from intersection of 7<sup>th</sup> Avenue SW to the west City limits.
  - O. 2<sup>nd</sup> Avenue NW from the intersection of Main Street to the north edge of the alley right-of-way that intersects the 100 block of 2<sup>nd</sup> Street NW.
2. Deliveries Off Truck Route. Any motor vehicle weighing five tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload, and return by the most direct route to its point of departure from said designated route.  
*(Code of Iowa, Sec. 321.473)*
3. Employer's Responsibility. The owner or any other person employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.  
*(Code of Iowa, Sec. 321.473)*

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## ORDINANCE NO. 363

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STATE CENTER, IOWA, BY AMENDING SUBSECTION 66.05(1) TO REVISE THE DESIGNATED TRUCK ROUTES WITHIN THE CITY OF STATE CENTER, IOWA BY REMOVING THE SECTION OF E MAIN STREET AND 5<sup>TH</sup> AVE SE FROM THE EAST EDGE OF THE E MAIN AND 3<sup>RD</sup> AVE NE INTERSECTION TO THE 5<sup>TH</sup> AVE SE AND 4<sup>TH</sup> ST SE INTERSECTION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STATE CENTER, IOWA:

**Section 1. SECTION MODIFIED.** Subsection 66.05(1) of the Code of Ordinances for the City of State Center, Iowa, is amended to read as follows:

**66.05 TRUCK ROUTES.** Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing five tons or more, when loaded or empty, having no fixed terminal within the City of making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

- A. ~~5<sup>th</sup> Avenue SE.~~
- B. 4<sup>th</sup> Street SE.
- C. 4<sup>th</sup> Street SW.
- D. 3<sup>rd</sup> Street NW from the west corporate limits of the City to 3<sup>rd</sup> Avenue NW.
- E. 3<sup>rd</sup> Avenue NW.
- F. 3<sup>rd</sup> Avenue SW.
- G. 3<sup>rd</sup> Avenue NE from the intersection of Main Street to 2<sup>nd</sup> Street NE.
- H. ~~Main Street from the intersection of 3<sup>rd</sup> Avenue SW east to 5<sup>th</sup> Avenue SE.~~ 3<sup>rd</sup> Avenue SE
- I. Main Street from the intersection of 3<sup>rd</sup> Avenue SW west to 2<sup>nd</sup> Street SW.
- J. 1<sup>st</sup> Avenue N.
- K. 1<sup>st</sup> Avenue S.
- L. 9<sup>th</sup> Avenue NW from the northwest City limits to 4<sup>th</sup> Street SW.
- M. 7<sup>th</sup> Avenue SW from the intersection of 4<sup>th</sup> Street SW to 5<sup>th</sup> Street SW.
- N. 5<sup>th</sup> Street SW from intersection of 7<sup>th</sup> Avenue SW to the west City limits.
- O. 2<sup>nd</sup> Avenue NW from the intersection of Main Street to the north edge of the alley right-of-way that intersects the 100 block of 2<sup>nd</sup> Street NW.

*(Code of Iowa, Sec. 321.473)*

**Section 2. REPEALER.** All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3. SEVERABILITY CLAUSE.** If any section, provision, or part of this Ordinance shall be adjudged invalid, unconstitutional, or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

**Section 4. WHEN EFFECTIVE.** This ordinance shall be in effect after its final passage, approval and publication as provided by law.

**1st Reading, October 19, 2021:**

Motion by Shaffar, second by Nichols, that Ordinance 363, an ordinance revising the designated truck routes within the City of State Center, Iowa by removing the section of E Main Street and 5<sup>th</sup> Ave SE from the east edge of the E Main and 3<sup>rd</sup> Ave NE intersection to the 5<sup>th</sup> Ave SE and 4<sup>th</sup> St SE intersection, be given its first reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Aye Wilkinson: Aye

**2nd Reading, November 16, 2021:**

Motion by Shaffar, second by Nichols, that Ordinance 363, an ordinance revising the designated truck routes within the City of State Center, Iowa by removing the section of E Main Street and 5<sup>th</sup> Ave SE from the east edge of the E Main and 3<sup>rd</sup> Ave NE intersection to the 5<sup>th</sup> Ave SE and 4<sup>th</sup> St SE intersection, be given its second reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Aye Wilkinson: Aye

**3rd Reading, December 21, 2021:**

Motion by Darrow, second by Nichols, that Ordinance 363, an ordinance revising the designated truck routes within the City of State Center, Iowa by removing the section of E Main Street and 5<sup>th</sup> Ave SE from the east edge of the E Main and 3<sup>rd</sup> Ave NE intersection to the 5<sup>th</sup> Ave SE and 4<sup>th</sup> St SE intersection, be given its third and final reading for passage.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Absent Wilkinson: Aye

\*\*\*\*\*

Motion by Wilkinson, second by Nichols, that Ordinance 363, an ordinance amending Subsection 66.05(1) Truck Routes of the Code of Ordinances for the City of State Center, Iowa, revising the designated truck routes within the City of State Center, Iowa be finally adopted at this time.

Darrow: Aye Nichols: Aye Quick: Aye Shaffar: Absent Wilkinson: Aye

Ordinance 363, an ordinance amending Subsection 66.05(1) Truck Routes of the Code of Ordinances for the City of State Center, Iowa is passed and adopted by the City Council of the City of State Center the 21<sup>st</sup> day of December 2021 and is effective upon publication in the Mid Iowa Enterprise.

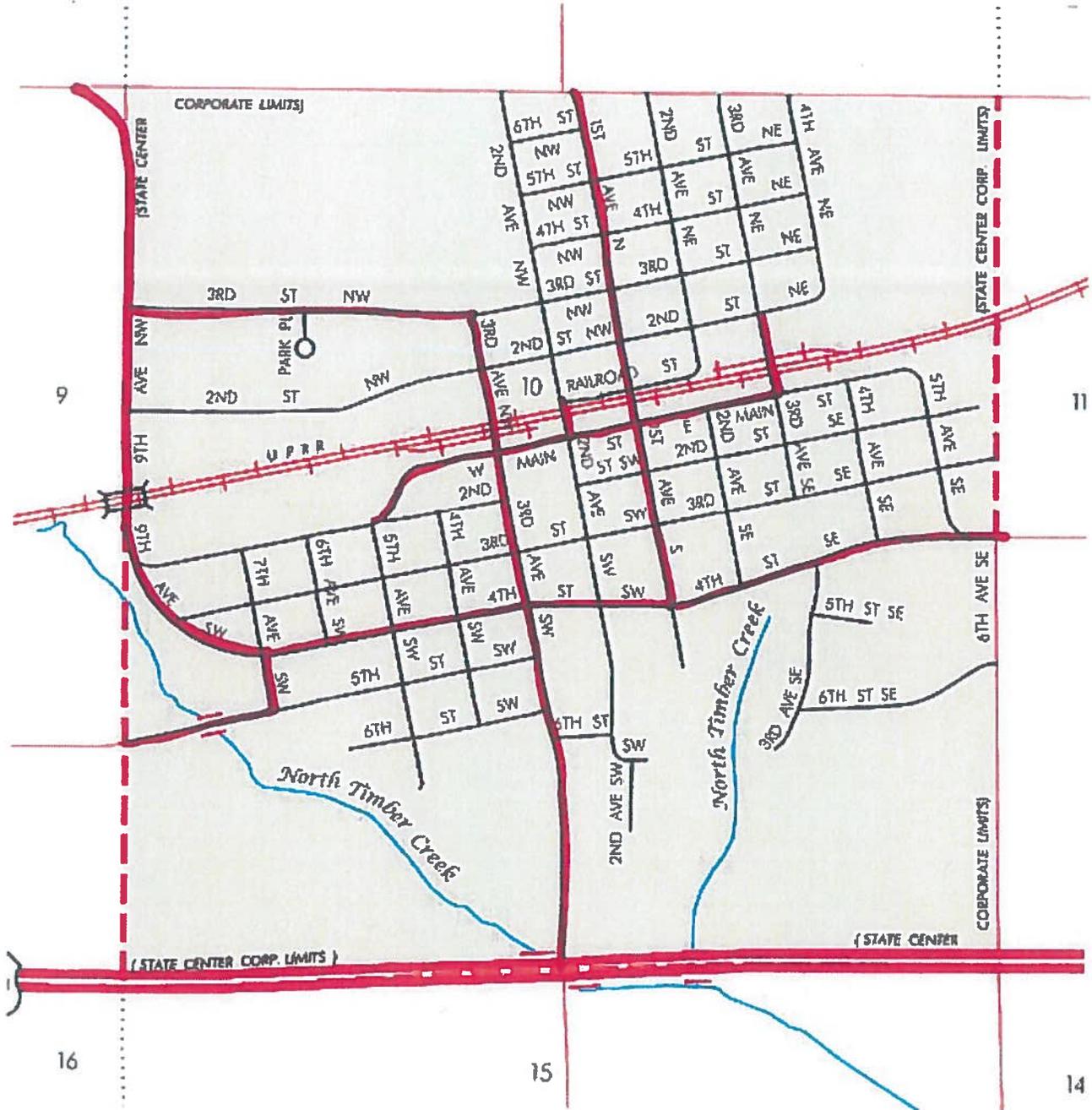
\_\_\_\_\_  
Steve Sodders, Mayor

*To be published*

Attest:

*01.06.21*

\_\_\_\_\_  
Lori Bearden, City Clerk





**CHAPTER 67**  
**PEDESTRIANS**

67.01 Walking in Street  
67.02 Hitchhiking

67.03 Pedestrian Crossing

**67.01 WALKING IN STREET.** Pedestrians shall at all times when walking on or along a street, walk on the left side of the street.

*(Code of Iowa, Sec. 321.326)*

**67.02 HITCHHIKING.** No person shall stand in the traveled portion of a street for the purpose of soliciting a ride from the driver of any private vehicle.

*(Code of Iowa, Sec. 321.331)*

**67.03 PEDESTRIAN CROSSING.** Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

*(Code of Iowa, Sec. 321.328)*

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## CHAPTER 68

### ONE-WAY TRAFFIC

**68.01 ONE-WAY TRAFFIC REQUIRED.** Upon the following streets and alleys, vehicular traffic, other than permitted cross traffic, shall move only in the indicated direction when appropriate signs are in place.

*(Code of Iowa, Sec. 321.236[4])*

- NONE -

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## CHAPTER 69

# PARKING REGULATIONS

69.01 Park Adjacent to Curb	69.07 Persons with Disabilities Parking
69.02 Parking on One-Way Streets	69.08 No Parking Zones
69.03 Angle Parking	69.09 Truck Parking Limited
69.04 Manner of Angle Parking	69.10 Parking Limited to Fifteen Minutes
69.05 Parking for Certain Purposes Illegal	69.11 Snow Removal
69.06 Parking Prohibited	69.12 Limited Parking of Certain Vehicles and Equipment

**69.01 PARK ADJACENT TO CURB.** No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 18 inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-hand side of one-way streets.

*(Code of Iowa, Sec. 321.361)*

**69.02 PARKING ON ONE-WAY STREETS.** No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within 18 inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking.

*(Code of Iowa, Sec. 321.361)*

**69.03 ANGLE PARKING.** Angle or diagonal parking is permitted only in the following locations:

*(Code of Iowa, Sec. 321.361)*

1. Both sides of Main Street from 3<sup>rd</sup> Avenue NE to 3<sup>rd</sup> Avenue NW.
2. Both sides of 1<sup>st</sup> Avenue N and 2<sup>nd</sup> Avenue NW from Main Street to the Union Pacific railway tracks.
3. Both sides of 1<sup>st</sup> Avenue S from Main Street to 2<sup>nd</sup> Street SW.
4. The east side of 2<sup>nd</sup> Avenue SW from Main Street to 2<sup>nd</sup> Street SW.

**69.04 MANNER OF ANGLE PARKING.** Upon those streets or portions of streets that have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings. No part of any vehicle or the load thereon, when said vehicle is parked within a diagonal parking district, shall extend into the roadway more than a distance of 16 feet when measured at right angles to the adjacent curb or edge of roadway.

*(Code of Iowa, Sec. 321.361)*

**69.05 PARKING FOR CERTAIN PURPOSES ILLEGAL.** No person shall park a vehicle upon public property for more than 24 hours, unless otherwise limited under the provisions of this chapter, or for any of the following principal purposes:

*(Code of Iowa, Sec. 321.236[1])*

1. Sale. Displaying such vehicle for sale.

2. Repairing. For lubricating, repairing or for commercial washing of such vehicle except such repairs as are necessitated by an emergency.
3. Advertising. Displaying advertising.
4. Merchandise Sales. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under this Code of Ordinances.

**69.06 PARKING PROHIBITED.** No one shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:

1. Crosswalk. On a crosswalk.  
*(Code of Iowa, Sec. 321.358[5])*
2. Center Parkway. On the center parkway or dividing area of any divided street.  
*(Code of Iowa, Sec. 321.236[1])*
3. Mailboxes. Within 20 feet on either side of a mailbox that is so placed and so equipped as to permit the depositing of mail from vehicles on the roadway.  
*(Code of Iowa, Sec. 321.236[1])*
4. Sidewalks. On or across a sidewalk.  
*(Code of Iowa, Sec. 321.358[1])*
5. Driveway. In front of a public or private driveway.  
*(Code of Iowa, Sec. 321.358[2])*
6. Intersection. Within an intersection or within 10 feet of an intersection of any street or alley.  
*(Code of Iowa, Sec. 321.358[3])*
7. Fire Hydrant. Within five feet of a fire hydrant.  
*(Code of Iowa, Sec. 321.358[4])*
8. Stop Sign or Signal. Within 10 feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.  
*(Code of Iowa, Sec. 321.358[6])*
9. Railroad Crossing. Within 50 feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.  
*(Code of Iowa, Sec. 321.358[8])*
10. Fire Station. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign posted.  
*(Code of Iowa, Sec. 321.358[9])*
11. Excavations. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.  
*(Code of Iowa, Sec. 321.358[10])*
12. Double Parking. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.  
*(Code of Iowa, Sec. 321.358[11])*
13. Hazardous Locations. When, because of restricted visibility or when standing or parked vehicles would constitute a hazard to moving traffic, or when other traffic

conditions require, the Council may cause curbs to be painted with a yellow color and erect no parking or standing signs.

*(Code of Iowa, Sec. 321.358[13])*

14. Churches, Nursing Homes and Other Buildings. A space of 50 feet is hereby reserved at the side of the street in front of any theatre, auditorium, hotel having more than 25 sleeping rooms, hospital, nursing home, taxicab stand, bus depot, church, or other building where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked or stopped except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose.

*(Code of Iowa, Sec. 321.360)*

15. Alleys. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property. The provisions of this subsection do not apply to a vehicle parked in any alley that is 18 feet wide or less, provided that said vehicle is parked to deliver goods or services.

*(Code of Iowa, Sec. 321.236[1])*

16. Ramps. In front of a curb cut or ramp which is located on public or private property in a manner which blocks access to the curb cut or ramp.

*(Code of Iowa, Sec. 321.358[15])*

17. Area Between Lot Line and Curb Line. That area of the public way not covered by sidewalk and lying between the lot line and the curb line, where curbing has been installed.

18. In More Than One Space. In any designated parking space so that any part of the vehicle occupies more than one such space or protrudes beyond the markings designating such space.

**69.07 PERSONS WITH DISABILITIES PARKING.** The following regulations shall apply to the establishment and use of persons with disabilities parking spaces:

1. Establishment. Persons with disabilities parking spaces shall be established and designated in accordance with Chapter 321L of the *Code of Iowa* and Iowa Administrative Code, 661-18. No unauthorized person shall establish any on-street persons with disabilities parking space without first obtaining Council approval.

2. Improper Use. The following uses of a persons with disabilities parking space, located on either public or private property, constitute improper use of a persons with disabilities parking permit, which is a violation of this Code of Ordinances:

*(Code of Iowa, Sec. 321L.4[2])*

A. Use by an operator of a vehicle not displaying a persons with disabilities parking permit.

B. Use by an operator of a vehicle displaying a persons with disabilities parking permit but not being used by a person issued a permit or being transported in accordance with Section 321L.2[1b] of the *Code of Iowa*.

C. Use by a vehicle in violation of the rules adopted under Section 321L.8 of the *Code of Iowa*.

3. Wheelchair Parking Cones. No person shall use or interfere with a wheelchair parking cone in violation of the following:
  - A. A person issued a persons with disabilities parking permit must comply with the requirements of Section 321L.2A[1] of the *Code of Iowa* when utilizing a wheelchair parking cone.
  - B. A person shall not interfere with a wheelchair parking cone that is properly placed under the provisions of Section 321L.2A[1] of the *Code of Iowa*.

**69.08 NO PARKING ZONES.** No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

*(Code of Iowa, Sec. 321.236[1])*

1. 4<sup>th</sup> Street, on both sides, from 6<sup>th</sup> Avenue SE to 7<sup>th</sup> Avenue SW.
2. 9<sup>th</sup> Avenue, on both sides, from 7<sup>th</sup> Avenue SW to 7<sup>th</sup> Street NW.
3. 5<sup>th</sup> Avenue SE, on both sides, from East Main Street to 4<sup>th</sup> Street SE.
4. Main Street, on the north side, from 3<sup>rd</sup> Avenue NE to 3<sup>rd</sup> Avenue NW between the hours of 2:30 a.m. and 5:00 a.m.
5. Main Street, on the south side, from 3<sup>rd</sup> Avenue SE to 3<sup>rd</sup> Avenue SW between the hours of 2:30 a.m. and 5:00 a.m.
6. 2<sup>nd</sup> Avenue SW, on the west side, from 4<sup>th</sup> Street SW to a point 380 feet south.
7. 3<sup>rd</sup> Avenue SW, on the east side, from Main Street to 3<sup>rd</sup> Street SW between the hours of 7:00 a.m. and 4:00 p.m.
8. 3<sup>rd</sup> Street NW, on both sides, from 100 feet east of the east drive of the high school to 270 feet west of the west drive of the high school, on weekdays from 7:00 a.m. to 4:00 p.m. during the regular school year, unless a valid, current parking permit issued by the City Clerk is displayed on the vehicle.
9. 2<sup>nd</sup> Avenue SW, on both sides, from 3<sup>rd</sup> Street SW to 4<sup>th</sup> Street SW.
10. 2<sup>nd</sup> Avenue SW, on the east side, from 2<sup>nd</sup> Street SW to 3<sup>rd</sup> Street SW between the hours of 7:00 a.m. and 4:00 p.m.
11. 3<sup>rd</sup> Avenue NW, on both sides, from the railroad tracks to 3<sup>rd</sup> Street NW.
12. 3<sup>rd</sup> Street SW, on the north side, from 2<sup>nd</sup> Avenue SW to 3<sup>rd</sup> Avenue SW on weekdays from 7:00 a.m. to 4:00 p.m. during the regular school year, unless a valid, current parking permit issued by the City Clerk is displayed on the vehicle or the vehicle is accompanied by a licensed driver for purposes of loading or unloading.
13. Park Place Avenue, on both sides, on weekdays from 7:00 a.m. to 4:00 p.m. during the regular school year, unless a valid, current parking permit issued by the City Clerk is displayed on the vehicle.
14. Main Street, on the south side, from 3<sup>rd</sup> Avenue SW extending east three parking spaces between the hours of 6:00 a.m. to 6:00 p.m. each day.
15. West Main Street, on the south side, from 3<sup>rd</sup> Avenue SW west to a distance 140' west of the intersection of 5<sup>th</sup> Avenue SW and 2<sup>nd</sup> Street SW.

16. West Main Street, on the north side, from 9<sup>th</sup> Avenue SW east to 2<sup>nd</sup> Street SW and continuing east on West Main Street ending 300 feet west of 3<sup>rd</sup> Avenue SW.

**69.09 TRUCK PARKING LIMITED.** No person shall park a motor truck, semi-trailer, or other motor vehicle with trailer attached in violation of the following regulations. The provisions of this section shall not apply to pickup, light delivery or panel delivery trucks.

*(Code of Iowa, Sec. 321.236[1])*

1. Commercial Deliveries. If an alley exists, such vehicles shall be parked in the alley for the purpose of loading or unloading merchandise. If no alley exists, such vehicles may be parked in the street in front of the business for the purpose of loading or unloading merchandise for no longer than is necessary to effect the loading or unloading and in such a manner which will not interfere with other traffic.

2. Public Property. No person shall park any such vehicle with a gross weight in excess of 9,000 pounds on any street, alley or other public property between the hours of 9:00 p.m. and 7:00 a.m. of the following day.

3. Noise. No such vehicle with a gross weight in excess of 9,000 pounds shall be left standing or parked upon any private parking lot or drive of any service station between the hours of 9:00 p.m. and 7:00 a.m. with the engine, auxiliary engine, air compressor, refrigerating equipment or other device in operation giving off audible sounds excepting only the drive of a service station when actually being serviced, and then in no event for more than 30 minutes.

**69.10 PARKING LIMITED TO FIFTEEN MINUTES.** It is unlawful to park any vehicle for a continuous period of more than 15 minutes between the hours of 7:30 a.m. and 5:00 p.m. in the following locations:

*(Code of Iowa, Sec. 321.236[1])*

1. The two angle parking stalls, on the south side of Main Street, immediately west of the persons with disabilities parking stall at the municipal building.

2. The four angle parking stalls, on the south side of Main Street, immediately east of the municipal building.

**69.12 SNOW REMOVAL.** No person shall park, abandon, or leave unattended any vehicle on any public street, alley, or City-owned off-street parking area during snow removal operations unless the snow has been removed or plowed from said street, alley, or parking area and the snow has ceased to fall, between November 15 and the following April 15 each year. Snow removal operations are presumed to occur whenever the anticipated snow accumulation is two or more inches.

*(Code of Iowa, 321.236[1])*

**69.12 LIMITED PARKING OF CERTAIN VEHICLES AND EQUIPMENT.**

1. Definitions. The definitions of front yard, side yard, rear yard, and structure as used in this section shall correspond with the definitions in the Zoning Ordinance, Chapter 165. A "driveway" is defined as the paved or gravel area leading through the front or side yard which is no wider than the approved existing curb cut provided for it, or as previously approved for installation by the City. The terms "motor vehicle" and "special mobile equipment" correspond with the definitions contained in Chapter 321 of the *Code of Iowa*, and include every device in, upon, or by which any person or property is or may be transported or drawn upon a highway except by human power.

Specifically included as special mobile equipment are fork lifts, tractors, or other equipment equipped with wheels and designed to be towed, but not including unmotorized, single-axle trailers.

2. Prohibitions.

A. It is unlawful for any person, firm, or corporation to park or store an unlicensed or inoperable motor vehicle or special mobile equipment for more than 72 hours in the front, side or rear yard of any business or residential lot unless the vehicle or special mobile equipment is parked within a permanent roofed structure. Mere licensing of an inoperable motor vehicle shall not constitute a defense to a finding that such a motor vehicle is in violation of this section. A permanent roofed structure is one permanently anchored to the ground.

B. It is unlawful for any person, firm, or corporation to park or store any registered and operable vehicle upon any place other than the driveway of a home or paved or gravel designated parking area of a business. Parking of a registered and operable vehicle in the street shall occur only in compliance with this Code of Ordinances.

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## CHAPTER 70

# TRAFFIC CODE ENFORCEMENT PROCEDURES

70.01 Arrest or Citation  
70.02 Scheduled Violations  
70.03 Parking Violations: Alternate

70.04 Parking Violations: Vehicle Unattended  
70.05 Presumption in Reference to Illegal Parking  
70.06 Impounding Vehicles

**70.01 ARREST OR CITATION.** Whenever a peace officer has reasonable cause to believe that a person has violated any provision of the Traffic Code, such officer may:

1. Immediate Arrest. Immediately arrest such person and take such person before a local magistrate; or
2. Issue Citation. Without arresting the person, prepare in quintuplicate a combined traffic citation and complaint as adopted by the Iowa Commissioner of Public Safety, or issue a uniform citation and complaint utilizing a State-approved computerized device.

*(Code of Iowa, Sec. 805.6 & 321.485)*

**70.02 SCHEDULED VIOLATIONS.** For violations of the Traffic Code that are designated by Section 805.8A of the *Code of Iowa* to be scheduled violations, the scheduled fine for each of those violations shall be as specified in Section 805.8A of the *Code of Iowa*.

*(Code of Iowa, Sec. 805.8 & 805.8A)*

**70.03 PARKING VIOLATIONS: ALTERNATE.** Uncontested violations of parking restrictions imposed by this Code of Ordinances shall be charged upon a simple notice of a fine payable at the office of the City Clerk. The fine for each violation charged under a simple notice of a fine shall be in the amount of \$15.00 for all violations except improper use of a persons with disabilities parking permit. If such fine is not paid within 30 days, it shall be increased by \$5.00. The fine for improper use of a persons with disabilities parking permit is \$100.00.

*(Code of Iowa, Sec. 321.236[1b] & 321L.4[2])*

**70.04 PARKING VIOLATIONS: VEHICLE UNATTENDED.** When a vehicle is parked in violation of any provision of the Traffic Code, and the driver is not present, the notice of fine or citation as herein provided shall be attached to the vehicle in a conspicuous place.

**70.05 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING.** In any proceeding charging a standing or parking violation, a prima facie presumption that the registered owner was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred shall be raised by proof that:

1. Described Vehicle. The particular vehicle described in the information was parked in violation of the Traffic Code; and
2. Registered Owner. The defendant named in the information was the registered owner at the time in question.

**70.06 IMPOUNDING VEHICLES.** A peace officer is hereby authorized to remove, or cause to be removed, a vehicle from a street, public alley, public parking lot or highway to the

nearest garage or other place of safety, or to a garage designated or maintained by the City, under the circumstances hereinafter enumerated:

1. Disabled Vehicle. When a vehicle is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

*(Code of Iowa, Sec. 321.236[1])*

2. Illegally Parked Vehicle. When any vehicle is left unattended and is so illegally parked as to constitute a definite hazard or obstruction to the normal movement of traffic.

*(Code of Iowa, Sec. 321.236[1])*

3. Snow Removal. When any vehicle is left parked in violation of a ban on parking during snow removal operations.

4. Parked Over Limited Time Period. When any vehicle is left parked for a continuous period in violation of any limited parking time. If the owner can be located, the owner shall be given an opportunity to remove the vehicle.

*(Code of Iowa, Sec. 321.236[1])*

5. Costs. In addition to the standard penalties provided, the owner or driver of any vehicle impounded for the violation of any of the provisions of this chapter shall be required to pay the reasonable cost of towing and storage.

*(Code of Iowa, Sec. 321.236[1])*

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## CHAPTER 75

# ALL-TERRAIN VEHICLES AND SNOWMOBILES

75.01 Purpose  
75.02 Definitions  
75.03 General Regulations  
75.04 Operation of Snowmobiles

75.05 Operation of All-Terrain Vehicles  
75.06 Negligence  
75.07 Accident Reports  
75.08 Registration and Operation

**75.01 PURPOSE.** The purpose of this chapter is to regulate the operation of all-terrain vehicles and snowmobiles within the City.

**75.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. “All-terrain vehicle” or “ATV” means a motorized vehicle, with not less than three and not more than six non-highway tires, that is limited in engine displacement to less than 1,000 cubic centimeters and in total dry weight to less than 1,200 pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

*(Code of Iowa, Sec. 321I.1)*

2. “Off-road motorcycle” means a two-wheeled motor vehicle that has a seat or saddle designed to be straddled by the operator and handlebars for steering control and that is intended by the manufacturer for use on natural terrain. “Off-road motorcycle” includes a motorcycle that was originally issued a certificate of title and registered for highway use under Chapter 321 of the *Code of Iowa*, but which contains design features that enable operation over natural terrain. An operator of an off-road motorcycle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

*(Code of Iowa, Sec. 321I.1)*

3. “Off-road utility vehicle” means a motorized vehicle, with not less than four and not more than eight non-highway tires or rubberized tracks, that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. “Off-road utility vehicle” includes the following vehicles:

*(Code of Iowa, Sec. 321I.1)*

A. “Off-road utility vehicle – type 1” includes vehicles with a total dry weight of 1,200 pounds or less and a width of 50 inches or less.

B. “Off-road utility vehicle – type 2” includes vehicles, other than type 1 vehicles, with a total dry weight of 2,000 pounds or less and a width of 65 inches or less.

C. “Off-road utility vehicle – type 3” includes vehicles with a total dry weight of more than 2,000 pounds or a width of more than 65 inches, or both.

An operator of an off-road utility vehicle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

4. “Snowmobile” means a motorized vehicle that weighs less than 1,000 pounds, that uses sled-type runners or skis, endless belt-type tread with a width of 48 inches or less, or any combination of runners, skis, or tread, and is designed for travel on snow or

ice. "Snowmobile" does not include an all-terrain vehicle that has been altered or equipped with runners, skis, belt-type tracks, or treads.

*(Code of Iowa, Sec. 321G.1)*

**75.03 GENERAL REGULATIONS.** No person shall operate an ATV, off-road motorcycle or off-road utility vehicle within the City in violation of Chapter 321I of the *Code of Iowa* or a snowmobile within the City in violation of the provisions of Chapter 321G of the *Code of Iowa* or in violation of rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, equipment and manner of operation.

*(Code of Iowa, Ch. 321G & Ch. 321I)*

**75.04 OPERATION OF SNOWMOBILES.** The operators of snowmobiles shall comply with the following restrictions as to where snowmobiles may be operated within the City:

1. Streets. Snowmobiles shall be operated only upon streets that have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

*(Code of Iowa, Sec. 321G.9[4a])*

2. Exceptions. Snowmobiles may be operated on prohibited streets only under the following circumstances:

A. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

*(Code of Iowa, Sec. 321G.9[4c])*

B. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided all of the following occur:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before crossing the street;

(3) The driver yields the right-of-way to all on-coming traffic that constitutes an immediate hazard; and

(4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

*(Code of Iowa, Sec. 321G.9[2])*

3. Railroad Right-of-Way. Snowmobiles shall not be operated on an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

*(Code of Iowa, Sec. 321G.13[1h])*

4. Trails. Snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

*(Code of Iowa, Sec. 321G.9[4f])*

5. Parks and Other City Land. Snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of

the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

6. Sidewalk or Parking. Snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

**75.05 OPERATION OF ALL-TERRAIN VEHICLES.** The operators of ATVs shall comply with the following restrictions as to where ATVs may be operated within the City:

1. Streets. ATVs and off-road utility vehicles may be operated on streets in accordance with Section 321.234A of the *Code of Iowa*. ~~ATVs may also be operated on streets at the times and in the manner permitted under Chapter 82 of this Code of Ordinances, as if they were golf carts.~~ *Sec ordinance 376*

*(Code of Iowa, Sec. 321I.10[1 & 3])*

2. Trails. ATVs shall not be operated on snowmobile trails except where designated.

*(Code of Iowa, Sec. 321I.10[4])*

3. Railroad Right-of-Way. ATVs shall not be operated on an operating railroad right-of-way. An ATV may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

*(Code of Iowa, Sec. 321I.14[1h])*

4. Parks and Other City Land. ATVs shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City.

5. Sidewalk or Parking. ATVs shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking."

6. Direct Crossing. An all-terrain vehicle or off-road utility vehicle may make a direct crossing of a highway provided all of the following occur:

*(Code of Iowa, Sec. 321I.10[5])*

A. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

B. The all-terrain vehicle or off-road utility vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

C. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

D. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.

E. The crossing is made from a street, roadway, or highway designated as an all-terrain vehicle trail by any State agency, the County, or the City to a street, roadway, or highway designated as an all-terrain vehicle trail by any State agency, the County, or the City.

**75.06 NEGLIGENCE.** The owner and operator of an ATV or snowmobile are liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile. The owner of an ATV or snowmobile shall be liable for any such injury or damage only if the owner was the operator of the ATV or snowmobile at the time the injury or damage occurred or if the operator had the owner's consent to operate the ATV or snowmobile at the time the injury or damage occurred.

*(Code of Iowa, Sec. 321G.18 & 321I.19)*

**75.07 ACCIDENT REPORTS.** Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to \$1,500.00 or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report, in accordance with State law.

*(Code of Iowa, Sec. 321G.10 & 321I.11)*

~~**75.08 REGISTRATION AND OPERATION.** ATVs, as defined in this chapter, must be registered and operated only at the times and in the manner permitted under Chapter 82 of this Code of Ordinances, as if they were golf carts, as defined in that chapter:~~

*See Ordinance 376*

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## ORDINANCE NO. 376

### AN ORDINANCE AMENDING CHAPTER 75 ALL-TERRAIN VEHICLES AND SNOWMOBILES OF THE CODE OF ORDINANCES OF THE CITY OF STATE CENTER, IOWA, BY REMOVING REFERENCES TO CHAPTER 82 REGARDING PERMITTING AND REGISTRATION, UPON PASSAGE, APPROVAL AND PUBLICATION AS PROVIDED BY LAW.

**BE IT ORDAINED** by the City Council of the City of State Center, Iowa:

**SECTION 1. SECTION AMENDED.** SECTION 75.05(1) OPERATION OF ALL-TERRAIN VEHICLES, of the Code of Ordinances for the City of State Center, Iowa, is amended by striking the sentence: ATVs may also be operated on streets at the times and in the manner permitted under Chapter 82 of this Code of Ordinances, as if they were golf carts.

**SECTION 2. SECTION REMOVED.** SECTION 75.08 REGISTRATION AND OPERATION is removed from Chapter 75.

**SECTION 3. REPEALER.** All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, provision, or part of this Ordinance shall be adjudged invalid, unconstitutional, or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

**SECTION 5. WHEN EFFECTIVE.** This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

**1st Reading, September 20, 2022:**

**2<sup>nd</sup> Reading Waived September 20, 2022**

**3<sup>rd</sup> Reading Waived September 20, 2022**

Craig Pfantz, Mayor

Attest

Lori Bearden, City Clerk



## CHAPTER 76

# BICYCLE REGULATIONS

76.01 Scope of Regulations	76.08 Use of Bicycles, Skateboards and In-Line Skates on Sidewalks
76.02 Traffic Code Applies	76.09 Towing
76.03 Double Riding Restricted	76.10 Improper Riding
76.04 Two Abreast Limit	76.11 Parking
76.05 Speed	76.12 Equipment Requirements
76.06 Emerging from Alley or Driveway	76.13 Special Penalty
76.07 Carrying Articles	

**76.01 SCOPE OF REGULATIONS.** These regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

*(Code of Iowa, Sec. 321.236[10])*

**76.02 TRAFFIC CODE APPLIES.** Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the Traffic Code of the City applicable to the driver of a vehicle, except as to those provisions that by their nature can have no application. Whenever such person dismounts from a bicycle, the person shall be subject to all regulations applicable to pedestrians.

*(Code of Iowa, Sec. 321.234)*

**76.03 DOUBLE RIDING RESTRICTED.** A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

*(Code of Iowa, Sec. 321.234[3 and 4])*

**76.04 TWO ABREAST LIMIT.** Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. All bicycles ridden on the roadway shall be kept to the right and shall be operated as near as practicable to the right-hand edge of the roadway.

*(Code of Iowa, Sec. 321.236[10])*

**76.05 SPEED.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

*(Code of Iowa, Sec. 321.236[10])*

**76.06 EMERGING FROM ALLEY OR DRIVEWAY.** The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

*(Code of Iowa, Sec. 321.236[10])*

**76.07 CARRYING ARTICLES.** No person operating a bicycle shall carry any package, bundle or article that prevents the rider from keeping at least one hand upon the handlebars.

*(Code of Iowa, Sec. 321.236[10])*

**76.08 USE OF BICYCLES, SKATEBOARDS AND IN-LINE SKATES ON SIDEWALKS.** The following shall apply to riding bicycles and using skateboards or skates on sidewalks:

1. Main Street District, within the Main Street District, defined as the sidewalk in front of any property which fronts on or abuts Main Street in State Center, Iowa.
2. Other Locations. No person shall ride a bicycle or use skateboards or in-line skates upon a sidewalk when signs are erected or stencils placed on any sidewalk or roadway prohibiting the riding of bicycles or use of skateboards or in-line skates thereon. A sign or stencil shall pertain to the entire block on which the stencil appears.
3. Yield Right-of-Way. Whenever any person is riding a bicycle or using a skateboard or in-line skates upon a sidewalk anywhere in the City, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing another person.
4. "Use" of a skateboard consists of causing it to move along the ground or any bench, railing, or other fixture.

**76.09 TOWING.** It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City unless the vehicle is manufactured for such use.

**76.10 IMPROPER RIDING.** No person shall ride a bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding, or otherwise so as to disregard the safety of the operator or others.

**76.11 PARKING.** No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

*(Code of Iowa, Sec. 321.236[10])*

**76.12 EQUIPMENT REQUIREMENTS.** Every person riding a bicycle shall be responsible for providing and using equipment as provided herein:

1. Lamps Required. Every bicycle when in use at nighttime shall be equipped with a lamp on the front emitting a white light visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear, except that a red reflector on the rear, of a type that is visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of a rear light.

*(Code of Iowa, Sec. 321.397)*

2. Brakes Required. Every bicycle shall be equipped with a brake that will enable the operator to make the braked wheel skid on dry, level, clean pavement.

*(Code of Iowa, Sec. 321.236[10])*

**76.13 SPECIAL PENALTY.** Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists or standard penalty provided for violations of this Code of Ordinances, allow the person's bicycle to be impounded by the City for not less than five days for the first offense, 10 days for a second offense and 30 days for a third offense.

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## CHAPTER 80

# ABANDONED VEHICLES

80.01 Definitions	80.06 Disposal of Abandoned Vehicles
80.02 Authority to Take Possession of Abandoned Vehicles	80.07 Disposal of Totally Inoperable Vehicles
80.03 Notice by Mail	80.08 Proceeds from Sales
80.04 Notification in Newspaper	80.09 Duties of Demolisher
80.05 Fees for Impoundment	

**80.01 DEFINITIONS.** For use in this chapter, the following terms are defined:  
(*Code of Iowa, Sec. 321.89[1] & Sec. 321.90*)

1. "Abandoned vehicle" means any of the following:
  - A. A vehicle that has been left unattended on public property for more than 24 hours and lacks current registration plates or two or more wheels or other parts which renders the vehicle totally inoperable.
  - B. A vehicle that has remained illegally on public property for more than 24 hours.
  - C. A vehicle that has been unlawfully parked or placed on private property without the consent of the owner or person in control of the property for more than 24 hours.
  - D. A vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of 10 days. However, a police authority may declare the vehicle abandoned within the 10-day period by commencing the notification process.
  - E. Any vehicle parked on the highway determined by a police authority to create a hazard to other vehicle traffic.
  - F. A vehicle that has been impounded pursuant to Section 321J.4B of the *Code of Iowa* by order of the court and whose owner has not paid the impoundment fees after notification by the person or agency responsible for carrying out the impoundment order.
2. "Demolisher" means a person licensed under Chapter 321H of the *Code of Iowa* whose business it is to convert a vehicle to junk, processed scrap or scrap metal, or otherwise to wreck, or dismantle vehicles.
3. "Garage keeper" means any operator of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of motor vehicles.
4. "Police authority" means the Iowa State Patrol or any law enforcement agency of a county or city.

**80.02 AUTHORITY TO TAKE POSSESSION OF ABANDONED VEHICLES.** A police authority, upon the authority's own initiative or upon the request of any other authority having the duties of control of highways or traffic, shall take into custody an abandoned vehicle on public property and may take into custody any abandoned vehicle on private property. The police authority may employ its own personnel, equipment, and facilities or hire a private entity,

equipment, and facilities for the purpose of removing, preserving, storing, or disposing of abandoned vehicles. A property owner or other person in control of private property may employ a private entity that is a garage keeper to dispose of an abandoned vehicle, and the private entity may take into custody the abandoned vehicle without a police authority's initiative. If a police authority employs a private entity to dispose of abandoned vehicles, the police authority shall provide the private entity with the names and addresses of the registered owners, all lienholders of record, and any other known claimant to the vehicle or the personal property found in the vehicle.

*(Code of Iowa, Sec. 321.89[2])*

**80.03 NOTICE BY MAIL.** The police authority or private entity that takes into custody an abandoned vehicle shall notify, within 20 days, by certified mail, the last known registered owner of the vehicle, all lienholders of record, and any other known claimant to the vehicle or to personal property found in the vehicle, addressed to the parties' last known addresses of record, that the abandoned vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model and vehicle identification number of the vehicle, describe the personal property found in the vehicle, set forth the location of the facility where the vehicle is being held, and inform the persons receiving the notice of their right to reclaim the vehicle and personal property within 10 days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of the notice. The notice shall also state that the failure of the owner, lienholders or claimants to exercise their right to reclaim the vehicle or personal property within the time provided shall be deemed a waiver by the owner, lienholders and claimants of all right, title, claim and interest in the vehicle or personal property and that failure to reclaim the vehicle or personal property is deemed consent to the sale of the vehicle at a public auction or disposal of the vehicle to a demolisher and to disposal of the personal property by sale or destruction. If the abandoned vehicle was taken into custody by a private entity without a police authority's initiative, the notice shall state that the private entity may claim a garage keeper's lien as described in Section 321.90 of the *Code of Iowa*, and may proceed to sell or dispose of the vehicle. If the abandoned vehicle was taken into custody by a police authority or by a private entity hired by a police authority, the notice shall state that any person claiming rightful possession of the vehicle or personal property who disputes the planned disposition of the vehicle or property by the police authority or private entity or of the assessment of fees and charges provided by this section may ask for an evidentiary hearing before the police authority to contest those matters. If the persons receiving notice do not ask for a hearing or exercise their right to reclaim the vehicle or personal property within the 10-day reclaiming period, the owner, lienholders or claimants shall no longer have any right, title, claim, or interest in or to the vehicle or the personal property. A court in any case in law or equity shall not recognize any right, title, claim, or interest of the owner, lienholders or claimants after the expiration of the 10-day reclaiming period.

*(Code of Iowa, Sec. 321.89[3a])*

**80.04 NOTIFICATION IN NEWSPAPER.** If it is impossible to determine with reasonable certainty the identity and addresses of the last registered owner and all lienholders, notice by one publication in one newspaper of general circulation in the area where the vehicle was abandoned shall be sufficient to meet all requirements of notice under Section 80.03. The published notice may contain multiple listings of abandoned vehicles and personal property but shall be published within the same time requirements and contain the same information as prescribed for mailed notice in Section 80.03.

*(Code of Iowa, Sec. 321.89[3b])*

**80.05 FEES FOR IMPOUNDMENT.** The owner, lienholder, or claimant shall pay an impoundment fee of \$50.00 and a storage charge of \$40.00 per day within the reclaiming period plus towing charges, if stored by the City, or towing and storage fees, if stored in a public garage, whereupon said vehicle shall be released.

*(Code of Iowa, Sec. 321.89[3a])*

**80.06 DISPOSAL OF ABANDONED VEHICLES.** If an abandoned vehicle has not been reclaimed as provided herein, the police authority or private entity shall make a determination as to whether or not the motor vehicle should be sold for use upon the highways, and shall dispose of the motor vehicle in accordance with State law.

*(Code of Iowa, Sec. 321.89[4])*

**80.07 DISPOSAL OF TOTALLY INOPERABLE VEHICLES.** The City or any person upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose title certificate is faulty, lost or destroyed, may dispose of such motor vehicle to a demolisher for junk, without a title and without notification procedures, if such motor vehicle lacks an engine or two or more wheels or other structural part which renders the vehicle totally inoperable. The police authority shall give the applicant a certificate of authority. The applicant shall then apply to the County Treasurer for a junking certificate and shall surrender the certificate of authority in lieu of the certificate of title.

*(Code of Iowa, Sec. 321.90[2e])*

**80.08 PROCEEDS FROM SALES.** Proceeds from the sale of any abandoned vehicle shall be applied to the expense of auction, cost of towing, preserving, storing, and notification required, in accordance with State law. Any balance shall be held for the owner of the motor vehicle or entitled lienholder for 90 days, and then shall be deposited in the State Road Use Tax Fund. Where the sale of any vehicle fails to realize the amount necessary to meet costs the police authority shall apply for reimbursement from the Department of Transportation.

*(Code of Iowa, Sec. 321.89[4])*

**80.09 DUTIES OF DEMOLISHER.** Any demolisher who purchases or otherwise acquires an abandoned motor vehicle for junk shall junk, scrap, wreck, dismantle, or otherwise demolish such motor vehicle. A demolisher shall not junk, scrap, wreck, dismantle, or demolish a vehicle until the demolisher has obtained the junking certificate issued for the vehicle.

*(Code of Iowa, Sec. 321.90[3a])*

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## CHAPTER 81

# RAILROAD REGULATIONS

81.01 Definitions  
81.02 Obstructing Streets  
81.03 Crossing Maintenance

81.04 Speed  
81.05 Crossing Gates

**81.01 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. "Operator" means any individual, partnership, corporation or other association that owns, operates, drives, or controls a railroad train.
2. "Railroad train" means an engine or locomotive, with or without cars coupled thereto, operated upon rails.

*(Code of Iowa, Sec. 321.1)*

**81.02 OBSTRUCTING STREETS.** Operators shall not operate any train in such a manner as to prevent vehicular use of any highway, street or alley for a period of time in excess of 10 minutes except:

*(Code of Iowa, Sec. 327G.32)*

1. Comply with Signals. When necessary to comply with signals affecting the safety of the movement of trains.
2. Avoid Striking. When necessary to avoid striking any object or person on the track.
3. Disabled. When the train is disabled.
4. Safety Regulations. When necessary to comply with governmental safety regulations including, but not limited to, speed ordinances and speed regulations.
5. In Motion. When the train is in motion except while engaged in switching operations.
6. No Traffic. When there is no vehicular traffic waiting to use the crossing.

An employee is not guilty of a violation of this section if the employee's action was necessary to comply with the direct order or instructions of a railroad corporation or its supervisors. Guilt is then with the railroad corporation.

**81.03 CROSSING MAINTENANCE.** Operators shall construct and maintain good, sufficient, and safe crossings over any street traversed by their rails.

*(Bourett vs. Chicago & N.W. Ry. 152 Iowa 579, 132 N.W. 973 [1943])*

*(Code of Iowa, Sec. 364.11)*

**81.04 SPEED.** It is unlawful to operate any railroad train through any street crossing within the platted areas of the City at a speed greater than 60 miles per hour.

*(Girl vs. United States R. Admin., 194 Iowa 1382, 189 N.W. 834, [1923])*

**81.05 CROSSING GATES.** The Union Pacific Railway Company shall install, maintain, and keep in operation crossing gates on all of its railway street crossing in the City.

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## CHAPTER 82

# GOLF CARTS

82.01 Purpose	82.07 Unlawful Operation
82.02 Definitions	82.08 Permits and Permit Holders
82.03 Operation on Roadways, Streets, or Highways	82.09 Revocation of Permit
82.04 Parental or Guardian Responsibility	82.10 Equipment
82.05 Authorized Times of Operation	82.11 UTV Exceptions
82.06 Number of Occupants	

**82.01 PURPOSE.** The purpose of this chapter is to permit and regulate the operation of golf carts within the City.

**82.02 DEFINITIONS.**

1. "Golf cart" means a two-wheel drive vehicle with two gears (one forward, one reverse) generally used for transportation of persons in the sport of golf, permissible for operation at Lincoln Valley Golf Course, and which is limited in engine displacement to less than 800 cubic centimeters and total dry weight of less than 800 pounds.
2. "Operate" means to ride in or on, other than as a passenger, use, or control the operation of a golf cart in any manner, whether or not the golf cart is moving.
3. "Operator" means a person, who operates or is in actual physical control of a golf cart.
4. "Roadway" means that portion of a highway improved, designated, or ordinarily used for vehicular travel.
5. "Street or highway" means the entire width between lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular travel.

**82.03 OPERATION ON ROADWAYS, STREETS, OR HIGHWAYS.** Permitted persons may drive, operate, or control motorized golf carts as defined herein during authorized times on City streets under the jurisdiction of the City, but shall not be operated or controlled on a City street which is a primary road extension through the City except to the extent necessary to cross a City street which is a primary road extension through the City.

**82.04 PARENTAL OR GUARDIAN RESPONSIBILITY.** It is unlawful for any parent, guardian, or other person having the care, custody, and control of a minor under the age of 16 years to knowingly or negligently permit or allow such a minor to violate the provisions of this chapter.

**82.05 AUTHORIZED TIMES OF OPERATION.** The operation of golf carts on City streets is to be only from sunrise to sunset. They shall not be operated when visibility is such that there is insufficient light to clearly see person and vehicles at a distance of 500 feet.

**82.06 NUMBER OF OCCUPANTS.** The number of occupants in the motorized golf cart may not exceed the design occupant load.

**82.07 UNLAWFUL OPERATION.** No person shall drive or operate a golf cart:

1. In a careless, reckless, or negligent manner as to endanger the person or property of another or cause injury or damage thereto.
2. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.
3. In or on any park, playground, sidewalk, or upon any publicly owned property except with the permission of the governing body thereof.

**82.08 PERMITS AND PERMIT HOLDERS.**

1. An application for a permit shall be made on a form supplied by the City, which shall contain the name and address of applicant, and the make, model, year, and serial number of the golf cart.
2. The applicant shall provide a valid driver's license, or State identification card issued by the Iowa Department of Transportation, and be 16 years or older on the date of issuance.
3. The applicant shall provide and maintain public liability insurance and bodily injury insurance in the amounts required by the *Code of Iowa* for the operation of motor vehicles upon public streets and highways.
4. The annual cost for such a permit is \$20.00 payable at the time the permit is granted. Permits may be granted annually and will expire each December 31, regardless of the date issued.
5. Each permit shall be issued for a specific motorized golf cart and individual, except as otherwise stated.
6. Permit holders will be issued a number, which shall be affixed to the driver side rear of the golf cart.
7. The permit may be suspended or revoked upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder. There will be no refund of the license fee.

**82.09 REVOCATION OF PERMIT.** An individual permit may be revoked by the City Clerk if there is any material misrepresentation made in the permit application, liability insurance is no longer in effect, or if there is evidence that the permittee cannot safely operate the motorized golf cart. An individual permit shall also be revoked if the permittee no longer has a valid driver's license. The City Clerk shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder or send the notice by certified mail to the address on the application. The revocation shall be in effect immediately after personal service or three days after the mailing.

**82.10 EQUIPMENT.** Golf carts operated upon City streets shall be equipped with a slow-moving vehicle sign and a bicycle safety flag at all times during operation and shall be equipped with adequate brakes.

~~**82.11 UTV EXCEPTIONS.** Utility vehicles equipped with standard safety equipment from the manufacturer which includes seatbelts, headlamps, taillamps, and brake lamps shall be exempt from Sections 82.05 and 82.10 of this Chapter.~~ See ordinance 375

## ORDINANCE NO. 375

### AN ORDINANCE AMENDING CHAPTER 82 GOLF CARTS OF THE CODE OF ORDINANCES OF THE CITY OF STATE CENTER, IOWA, BY REMOVING SECTION 82.11 UTV EXCEPTIONS UPON PASSAGE, APPROVAL AND PUBLICATION AS PROVIDED BY LAW.

**BE IT ORDAINED** by the City Council of the City of State Center, Iowa:

**SECTION 1. SECTION REMOVED.** Section 82.11 UTV EXCEPTIONS, of the Code of Ordinances for the City of State Center, Iowa, is removed to comply with Iowa House File 2130 which eliminated the right of cities to charge registration fees for use of ATVs/UTVs on city streets.

**SECTION 2. REPEALER.** All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision, or part of this Ordinance shall be adjudged invalid, unconstitutional, or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

**1st Reading, September 20, 2022:**

**2<sup>nd</sup> Reading Waived, September 20, 2022**

**3rd Reading Waived, September 20, 2022**

Craig Pfantz, Mayor

Attest:

Lori Bearden, City Clerk



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