

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

70.01 DEFINITIONS.

For the purpose of this title the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the Fire Department or Police Department, vehicles of the Commonwealth Attorney's office when on official business, and ambulances on an authorized emergency run.

BOULEVARD. Any legally designated street at which cross traffic is required to stop before entering or crossing such boulevard.

BUSINESS DISTRICT. Any portion of any street between 2 consecutive intersections in which 50% or more of the frontage on either side of the street is used for business purposes.

CROSSWALK. That portion of the roadway included within the extension of the sidewalk across any intersection, and such other portions of the roadway between two intersections, as may be legally designated as crossing places and marked by stanchions, paint lines, or otherwise.

CURB. The boundary of that portion of the street used for vehicles whether marked by curbstones or not.

INTERSECTION. That part of the public way embraced within the extensions of the street lines of two or more streets which join at an angle whether or not 1 such street crosses the other.

OFFICIAL TRAFFIC-CONTROL DEVICES. All signs, signals, warnings, directions, markings, and devices placed or erected or maintained by authority of the Chief of Police.

ONE-WAY STREET. A street on which vehicles are permitted to move in 1 direction only.

OPERATOR. Every person who is in actual physical control of the guidance, starting, and stopping of a vehicle.

PARK. When applied to vehicles, to leave a vehicle standing, whether occupied or not, for a period of time longer than is necessary to receive or discharge passengers or property.

PEDESTRIAN. Any person afoot.

PLAY STREET. Any street or portion thereof so designated by the Chief of Police and reserved as a play area for children, from which all traffic is barred, except vehicles to and from abutting properties.

POLICE DEPARTMENT. The Police Department or other persons or agency authorized to perform the duties of ' 70.03 or any other acts necessary to implement and enforce this traffic code.

PUBLIC WAY. The entire width between property lines of every way, dedicated passway, or street set aside for public travel, except bridle paths and foot paths.

REVERSE TURN. To turn a vehicle on any street in such a manner as to proceed in the opposite direction.

RIGHT-OF-WAY. The privilege of the immediate and preferential use of the street.

ROADWAY. That portion of any street, improved, designated, or ordinarily used for vehicular travel.

SIDEWALK. That portion of the street between the curb and the property line intended for the use of pedestrians.

STOPPING. As applied to vehicles, to stop a vehicle longer than is actually necessary to receive or discharge passengers.

STREET. Every public way, including alleys.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, buses, and other conveyances, individually or collectively, while using any street for the purpose of travel.

VEHICLE. Every device in, on, or by which any person or property is or may be transported or drawn on any street except devices moved by human power or used exclusively on stationary rails or tracks. (1987 Code, ' 70.01)

' 70.02 REQUIRED OBEDIENCE TO TRAFFIC DIRECTIONS.

(A) It shall be unlawful for any person to fail or refuse to comply with any lawful order, signal, or direction given by a uniformed police officer, or to fail or refuse to comply with any of the traffic regulations of this traffic code.

(B) The provisions of this traffic code shall apply to the driver of any vehicle owned or used in the service of the United States government, this state, county, or city, and it shall be unlawful for any driver to violate any of the provisions of this traffic code, except as otherwise permitted in this traffic code or by state statute.

(C) Every person propelling any pushcart or riding a bicycle or an animal on any roadway, and every person driving any animal on any roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions of this traffic code which by their very nature can have no application.

(1987 Code, ' 70.02) Penalty, see ' 70.99

' 70.03 POWERS AND DUTIES OF POLICE DEPARTMENT.

It shall be the duty of the Police Department to direct all traffic in conformance with this traffic code and to enforce the traffic regulations as set forth in this traffic code, to make arrest for traffic violations, to investigate accidents, and to cooperate with other officers of the city in the administration of the traffic laws, and in developing ways and means to improve traffic conditions.

(1987 Code, ' 70.03)

' 70.04 AUTHORITY FOR ENFORCEMENT.

Authority to direct and enforce all traffic regulations of this city in accordance with the provisions of this traffic code and to make arrests for traffic violations is given to the Police Department, and, except in case of emergency, it shall be unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle, or any other signal.

(1987 Code, ' 70.04) Penalty, see ' 70.99

' 70.05 TEMPORARY REGULATIONS.

When required for the convenience and safety of the public and to alleviate unusual traffic problems, the Chief of Police or other authorized city official shall, at his or her discretion, have authority to impose traffic regulations as he or she may deem necessary for temporary periods not to exceed 2 weeks. If these temporary regulations are necessary for a period longer than 2 weeks, the City Clerk/Treasurer shall be notified in writing of the extended order.

(1987 Code, ' 70.05)

' 70.06 TOWING SERVICES; ROTATION LIST; FEE SCHEDULE.

(A) The Police Department shall retain a non-exclusive franchise towing service rotation list of not more than 4 towing services, all of whom first must meet the requirements of this section. The towing services granted non-exclusive franchises shall be selected by competitive bidding by the City Council on the basis of the amount of the franchise fee offered and the capacity of the bidders to meet the needs of the Police Department and the persons whose vehicles are towed. When other qualifications are equal, consideration of the amount, variety and quality of equipment will be considered in limiting the nonexclusive franchises to 4. Each franchise shall be awarded by the City Council for 5 years from the date of issue.

(B) Vacancies in the towing service rotation list may, at the option of the Council, be filled in the same manner as in division (A) above.

(C) Towing services needed by the Police Department will be called in rotation order unless in the judgment of officers on the scene for the health and safety of the public, other choices are deemed necessary.

(D) The towing service must comply with all rules and regulations as set forth by the Kentucky Motor Vehicle Enforcement Department.

(E) The towing service fee schedule must be approved by the Chief of Police and is not to exceed \$75 per tow; storage fees not to exceed \$15 a day outdoors and \$20 a day inside, and inside storage shall be only on order of the Police Department or the informed request of the owners.

(F) Towing services must meet all state insurance requirements and specifically \$100,000 in tow (or hook-on) insurance as required by Kentucky State Police and garage keeper insurance with a minimum coverage of \$50,000 to protect owners of vehicles in storage.

(G) Tow vehicles must meet the requirements of Kentucky State Police and failure to maintain towing equipment or provide adequately trained and responsible drivers will be reason for removal from the towing list.

(H) All vehicles towed on orders by the Police Department can be released to the owners only with a signed release form from the city.

(I) Tow trucks must respond to a call site within 20 minutes unless in the opinion of the Police Chief there are extenuating circumstances. Failure to respond within the prescribed time will be reason to remove the towing service from the towing service list.

(J) The chosen tow services shall pay to the city a franchise fee of a minimum of 15% of all fees and charges collected and for all receipts of unclaimed vehicles sold for scrap. The fees are to be paid monthly within 10 days after the end of each calendar month to the City Clerk/Treasurer. Late fees will draw a penalty of 2% per each month or portion thereof, compounded monthly, and the offending towing service may be suspended or removed from the list of towing services. Failure to pay fees shall constitute a lien on the property of the towing service.

(K) Towing services removed from the franchise rotation list will still be liable for all fees on vehicles already towed or in storage.

(L) Towing services removed from the list may be reinstated only with the approval of the City Council.

(M) Towing services on the towing services rotation list shall tow city vehicles without charge whenever the need arises within the city and its immediate environs, and on the request of the Police Department, shall tow impounded vehicles stored outside Hardin County to the West Point Police Station

for examination under Hardin County procedures, and if necessary in the opinion of the Police Chief, returned.

(N) The rotation list notwithstanding, requests of vehicle owners/operators for a specified towing service operating in the area will be honored on accident scenes where the owners/operators are not charged, as long as the requests do not interfere with traffic or would not otherwise endanger or affect adversely the rights of other motorists or citizens.

(Ord. 1994-12, passed 5-16-1994)

TRAFFIC-CONTROL DEVICES

70.15 SIGNAL LEGENDS.

Whenever traffic is regulated or controlled exclusively by a traffic-control sign or signs exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights for purposes of traffic control, the following colors only shall be used, and these terms and lights shall indicate and be obeyed as follows:

(A) Green alone or "Go": Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. However, vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time the signal is exhibited.

(B) Steady yellow alone or "Caution" when shown following the green or "Go" signal: Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection. Vehicular traffic facing a steady yellow signal may enter and clear the intersection.

(C) Red alone or double red or "Stop": Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone.

(D) Flashing red alone: Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall not again proceed until it can do so without danger.

(E) Flashing amber alone: Vehicular traffic facing the signal shall reduce its speed and proceed cautiously across the intersection controlled by such signal.

(F) "Yield Right-of-Way": Vehicular traffic facing the "Yield Right-of-Way" sign shall bear the primary responsibility of safely entering the primary intersecting or merging right-of-way. All traffic facing the sign shall yield the right-of-way to all vehicles and pedestrians within the primary intersecting or

merging right-of-way. No vehicle facing a Yield Right-of-Way sign shall enter the merging or intersecting right-of-way at a speed in excess of 15 mph, except that this speed limit shall not apply to vehicles entering an expressway.

(G) Lane lights: When lane lights are installed over any street for the purpose of controlling the direction of flow of traffic, vehicular traffic shall move only in traffic lanes over which green arrows appear. However, when flashing amber lights appear above a lane all left turns shall be made from that lane. Where red arrows appear above such lanes, vehicles shall not move against them. If flashing amber lights show above a lane, that lane shall be used only for passing and for left turns unless a sign at such place prohibits such turn.

(1987 Code, ' 70.15) Penalty, see ' 70.99

Statutory reference:

Traffic-control signals, see KRS 189.338

' 70.16 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.

The city shall establish and maintain all official traffic-control devices necessary within the city. All traffic-control devices, including signs, shall be employed to indicate 1 particular warning or regulation, shall be uniform, and as far as possible shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications.

(1987 Code, ' 70.16)

' 70.17 OBEDIENCE TO SIGNALS.

(A) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this traffic code or of a traffic barrier or sign erected by any of the public departments or public utilities of the city, or any electric signal, gate, or watchman at railroad crossings, unless otherwise directed by a police officer. However, the type and the right to or necessity for such barrier or sign must be approved by the city.

(B) Such sign, signal, marking, or barrier shall have the same authority as the personal direction of a police officer.

(1987 Code, ' 70.17) Penalty, see ' 70.99

' 70.18 INTERFERENCE WITH SIGNALS.

No person shall without authority attempt to or in fact alter, deface, injure, knock down, or remove any official control device or any railroad sign or signal, or any inscription, shield, or insignia thereon, or any part thereof.

(1987 Code, ' 70.18) Penalty see ' 70.99

' 70.19 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) It shall be unlawful for any person to place, maintain, or display on or in view of any street any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic device or railroad sign or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal any commercial advertising. Nothing in this section shall be construed as restricting any public department or public utility of the city in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the city.

(B) Every prohibited sign, signal, or marking is declared to be a public nuisance and the city is empowered forthwith to remove it or cause it to be removed.

(1987 Code, ' 70.19) Penalty, see ' 70.99

' 70.20 DEVICE TO BE LEGIBLE AND IN PROPER POSITION.

No provision of this traffic code for which signs or any other traffic-control device is required shall be enforceable against an alleged violator if at the time and place of the alleged violation the required device was not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(1987 Code, ' 70.20)

' 70.21 TEMPORARY DISREGARD OF DEVICES BY POLICE OFFICERS.

In an emergency any police officer may at his or her discretion disregard traffic-control lights or signals or established regulations in order to facilitate the movement of traffic.

(1987 Code, ' 70.21)

MOTOR VEHICLE LICENSE TAX**' 70.35 DEFINITION.**

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

MOTOR VEHICLE. All agencies for the transportation of persons or property over or upon the public highways of this city and all vehicles passing over or upon the highways, excepting road rollers, road graders, farm tractors, vehicles on which power shovels are mounted, such other construction equipment customarily impractical for the transportation of persons or property upon the highways, and such vehicles as travel exclusively upon rails.

(1987 Code, ' 70.35) (Ord. 220.2, passed - -)

' 70.36 LICENSE REQUIRED.

It shall be unlawful for any person, firm, company, partnership, or corporation, residing or situated within the city, to use or operate any automobile or motor vehicle over and upon the streets of the city, in connection with a business conducted, or regular occupation followed, within the city limits, or as a means of conveyance to and from a position, job, or labor for which remuneration is received from the business or occupation in the city, without obtaining a license and paying the tax provided for in this subchapter.

(1987 Code, ' 70.36) (Ord. 220.2, passed - -) Penalty, see ' 70.99

' 70.37 TAXES.

Motor vehicle taxes and property taxes shall apply to motor vehicles only; no city license fees shall apply.

(1987 Code, ' 70.37) (Ord. 220.2, passed - -)

COMMERCIAL VEHICLE LICENSE

' 70.50 LICENSE REQUIRED.

Any person or business entity who unloads goods, commodities, or merchandise, or any kind of other material by truck or other motor vehicle or other conveyance for the purpose of making a profit within the corporate limits of the city shall obtain a license and pay a license fee of \$25 as required in ' 70.51 for the privilege of using the public ways of the city.

(1987 Code, ' 70.50) (Ord. 220.3, passed - -) Penalty, see ' 70.99

' 70.51 FEE AND DUE DATE.

(A) The license required under ' 70.50 shall be issued by the City Clerk/Treasurer on forms provided for that purpose.

(B) The license fees fixed and levied herein are as follows:

(1) For the use of 1 or more motor vehicles with rated capacity of 1 ton or less per year the fee shall be \$25.

(2) For the use of 1 or more motor vehicles with rated capacity of more than 1 ton per year the fee shall be \$50.

(C) The fee required to be paid hereunder shall be due and payable the first day of January each year. (1987 Code, ' 70.51) (Ord. 220.3, passed - -)

' 70.99 GENERAL PENALTY.

(A) Any person who violates any provision of this traffic code where no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500.

(B) Any person or business entity who fails to pay the fees required by ' ' 70.50 and 70.51 within 30 days of the due date shall be fined not less than \$10 nor more than \$500 and each day a violation continues shall constitute a separate offense.

(1987 Code, ' 70.99) (Ord. 220.3, passed - -)

CHAPTER 71: TRAFFIC RULES

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OPERATION GENERALLY

' 71.01 OBSTRUCTING TRAFFIC.

(A) It shall be unlawful to operate any vehicle or permit it to remain standing in any street in a manner as to create an obstruction thereof.

(B) It shall be unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

(C) Any intersection deemed by the city to be of special or critical importance to the movement of traffic shall be marked in a distinctive manner in order to indicate its importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he or she shall be deemed to have violated this division rather than division (B) above.

(1987 Code, ' 71.01) Penalty, see ' 71.99

' 71.02 REVERSE OR U TURNS.

The operator of any vehicle shall not turn the vehicle so as to proceed in the opposite direction unless the movement can be made in safety without interfering with other traffic.

(KRS 189.330(8)) (1987 Code, ' 71.02) Penalty, see ' 71.99

' 71.03 BACKING VEHICLES.

It shall be unlawful for the operator of any vehicle to back the vehicle at any intersection for the purpose of executing a turning movement. A vehicle from any parking position shall be backed by the operator in a manner as to proceed on the same side of the roadway in the lawful direction of travel.

(1987 Code, ' 71.03) Penalty, see ' 71.99

' 71.04 VEHICLES CROSSING SIDEWALKS.

(A) It shall be unlawful for the operator of any vehicle to drive within any sidewalk space except at a permanent or temporary driveway or by special permit from the Chief of Police or other authorized city official.

(B) It shall be unlawful for the operator of any vehicle to drive the vehicle out of any alley, driveway, building, or lot and across a sidewalk, or its extension across the alley, unless the vehicle has been brought to a complete stop immediately prior to crossing the sidewalk or its extension. On entering the roadway from the alley, driveway, or building the operator shall yield the right-of-way to all vehicles approaching on the roadway. The operator of any vehicle intending to cross a sidewalk and turn into an alley from the roadway may do so at low speed and with caution.

(1987 Code, ' 71.04) Penalty, see ' 71.99

' 71.05 SPEED LIMITS.

(A) The speed limit shall be 20 mph on all city streets except as otherwise posted by the city or state, and except on those streets listed in Chapter 74 Schedule I.

(B) The speed limit shall be 15 mph in all school zones.

(C) Any person violating the provisions of this section, shall upon conviction, be fined as set forth and prescribed in KRS 189.394, which is incorporated herein and made a part thereof by reference.

(1987 Code, ' 71.05)

' 71.06 MOTOR VEHICLES IN PARKS.

(A) It shall be unlawful for any person to operate any motor vehicle in the city recreational areas, including but not limited to Fort Duffield Park, Salt River Boat Dock and Veterans Memorial Park, except on roads specifically intended for motor vehicles in those areas and at times specified as normal operation hours.

(B) As used in this section the term MOTOR VEHICLES shall include, but is not limited to: cars, trucks, buses, motorcycles, motor bikes, mini bikes, or any other similar motor vehicle. The term shall not include all vehicles operated by fire, emergency, forest service, medical, and law enforcement officials.

(1987 Code, ' 71.06) (Ord. 710.I, passed - -) Penalty, see ' 71.99

ACCIDENTS

' 71.15 DUTY OF OPERATOR.

It shall be the duty of the owner of, operator of, or passenger in any motor vehicle which is involved in an accident in which any person is injured or property damaged to stop immediately and ascertain the extent of the injury or damage and render such assistance as may be needed.

(1987 Code, ' 71.15) Penalty, see ' 71.99

Statutory reference:

Duty in case of accident, see KRS 189.580

' 71.16 ACCIDENT REPORT.

The operator, owner, or passenger involved in an accident resulting in the injury or death of any person, or an accident in which property is damaged, shall immediately report the accident or property damage to the Police Department.

(1987 Code, ' 71.16) Penalty, see ' 71.99

PROHIBITIONS

' 71.25 OPERATOR OF VEHICLE TO DRIVE CAREFULLY.

(A) The operator of any vehicle upon a highway shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the highway.

(B) No person shall willfully operate any vehicle on any highway in a manner as to injure the highway.
(KRS 189.290) (1987 Code, ' 71.25) Penalty, see ' 71.99

' 71.26 RIGHT-OF-WAY OF EMERGENCY VEHICLES; FOLLOWING EMERGENCY VEHICLES; DRIVING OVER FIRE HOSE.

(A) Upon the approach of an emergency vehicle equipped with, and operating, 1 or more flashing, rotating, or oscillating red or blue lights visible under normal conditions from a distance of 500 feet to the front of the vehicle; or when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

(B) Upon the approach of any emergency vehicle operated in conformity with the provisions of division

(A) above, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

(C) No operator of any vehicle, unless he or she is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of division (A) above closer than 500 feet, nor shall he or she drive into, park the vehicle into, or park the vehicle within the block where the vehicle has stopped in answer to an emergency call or alarm, unless he or she is directed otherwise by a police officer or firefighter.

(D) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire alarm unless the fire department official in command consents that the hose be driven over.

(KRS 189.930) (1987 Code, ' 71.26) Penalty, see ' 71.99

' 71.27 SMOKE EMISSION OR OTHER NUISANCE.

Every vehicle when on a highway shall be so equipped as to make a minimum of noise, smoke, or other nuisance, to protect the rights of other traffic, and to promote the public safety.

(KRS 189.020) (1987 Code, ' 71.27) Penalty, see ' 71.99

PARADES

' 71.40 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARADE. Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city.

PARADE PERMIT. A permit required by this subchapter.
(1987 Code, ' 71.40)

' 71.41 PERMIT REQUIRED.

(A) No person or persons shall engage in, participate in, aid, form, or start any parade unless a parade permit has been obtained from the Chief of Police or other authorized city official.

(B) This subchapter shall not apply to:

(1) Funeral processions; or

(2) A governmental agency acting within the scope of its functions.

(1987 Code, ' 71.41) Penalty, see ' 71.99

' 71.42 APPLICATION FOR PERMIT.

A person seeking issuance of a parade permit shall file an application with the Chief of Police or other authorized city official on forms provided by the officer.

(A) The application for a parade permit shall be filed not less than 5 days or not more than 60 days before the date on which it is proposed to conduct the parade.

(B) The application for a parade permit shall set forth the following information:

(1) The name, address, and telephone number of the person seeking to conduct the parade;

(2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(3) The name, address, and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct;

(4) The date when the parade is to be conducted;

(5) The route to be traveled, the starting point, and the termination point;

(6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;

(7) The hours when the parade will start and terminate;

(8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;

(9) The location by street of any assembly area for the parade;

(10) The time at which units of the parade will begin to assemble at any assembly area or areas;

(11) The interval of space to be maintained between units of the parade;

(12) If the parade is designed to be held by, and on behalf of or for, any person other than the

applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his or her behalf; and

(13) Any additional information reasonably necessary to a fair determination as to whether a permit should issue.

(C) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by the City Council.

(1987 Code, ' 71.42) Penalty, see ' 71.99

' 71.43 STANDARDS FOR ISSUANCE OF PERMIT.

The Chief of Police or other authorized city official shall issue a permit when, from a consideration of the application and from other information obtained, he or she finds that:

(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;

(C) The conduct of the parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto;

(D) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the parade will not interfere with the movement of fire fighting equipment enroute to a fire; and/or

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute.

(1987 Code, ' 71.43) Penalty, see ' 71.99

' 71.44 NOTICE OF REJECTION OF PERMIT.

The Chief of Police or other authorized city official shall act on the application for a parade permit within 3 days, Saturdays, Sundays, and holidays excepted, after filing thereof. If he or she disapproves the application, he or she shall mail to the applicant within the 3 days, Saturdays, Sundays, and holidays excepted, after the date on which the application was filed, a notice of his or her action stating the reasons

for his or her denial of the permit.
(1987 Code, ' 71.44)

' 71.45 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within 30 days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.
(1987 Code, ' 71.45)

' 71.46 ALTERNATIVE PERMIT.

The Chief of Police or other authorized city official, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his or her acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.
(1987 Code, ' 71.46)

' 71.47 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the following persons:

(A) The Mayor;

(B) The City Attorney;

(C) The Fire Chief; and

(D) The general manager or responsible head of each public utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.
(1987 Code, ' 71.47)

' 71.48 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

(A) Starting time;

(B) Minimum speed;

(C) Maximum speed;

(D) Maximum interval of space to be maintained between the units of the parade;

(E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;

(F) The maximum length of the parade in miles or fractions thereof; and

(G) Other information as is reasonably necessary to the enforcement of this subchapter.
(1987 Code, ' 71.48) Penalty, see ' 71.99

' 71.49 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairperson or other person heading or leading the activity shall carry the parade permit on his or her person during the conduct of the parade.
(1987 Code, ' 71.49) Penalty, see ' 71.99

' 71.50 PUBLIC CONDUCT DURING PARADES.

(A) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in a parade.

(B) Driving through parades. No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when the vehicles or persons are in motion and are conspicuously designated as a parade.
(1987 Code, ' 71.50)

Cross reference:

Parking on parade routes, see ' 72.07

' 71.51 REVOCATION OF PERMIT.

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.
(1987 Code, ' 71.51)

' 71.99 PENALTY.

(A) Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500.

(B) Any person violating the provisions of ' 71.06 shall be fined not less than \$100 nor more than \$500 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Ord. 710.1, passed - -)

(C) Any person who violates ' 71.26 shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$500, or be imprisoned in the county jail for not more than 30 days, or both. (KRS 189.993(8))

(1987 Code, ' 71.99)

CHAPTER 72: PARKING REGULATIONS

Section

Parking Generally

- 72.01 Obstructional parking; double parking
- 72.02 Manner of parking
- 72.03 Limitations of stopping and parking
- 72.04 Restrictions and prohibitions on designated streets
- 72.05 Parking restricted to allow street cleaning
- 72.06 Parking in excess of certain number of hours prohibited; towing authorized
- 72.07 Parking on parade route
- 72.08 Parking on off-street facility
- 72.09 Owner responsibility
- 72.10 Parking in parks
- 72.11 Display of parked vehicle for sale
- 72.12 Parking with handicapped permits

Impounding

- 72.20 Impoundment of vehicles authorized; redemption
- 72.21 Required notice to owner
- 72.22 Sale of vehicle

Snow Emergency

- 72.35 Announcement of snow emergency
- 72.36 Termination of emergency
- 72.37 Snow emergency routes

- 72.99 Penalty

Statutory reference:

Revenues from fees, fines, and forfeitures related to parking, see KRS 65.120

PARKING GENERALLY

' 72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) It shall be unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any street, alley, or sidewalk within the city either during the day or night.

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.

(1987 Code, ' 72.01) Penalty, see ' 72.99

' 72.02 MANNER OF PARKING.

(A) It shall be unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be so parked, and except for commercial loading and unloading on one-way streets.

(B) No vehicle shall be parked or left standing on any street unless its 2 right wheels are within 6 inches of and parallel with the curb, except that on one-way streets where parking is permitted on the left side the 2 left wheels are to be within 6 inches of and parallel with the curb.

(C) No vehicle shall be backed to the curb on any street, except that wagons and trucks may do so when loading and unloading provided that the loading and unloading and delivery of property and material shall not consume more than 30 minutes. The backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway by moving vehicles or occupies road space within 10 feet of the center line of the street.

(D) The city may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within 10 feet of the center line of any street. Diagonal parking places shall be designated by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which the vehicle shall park.

(E) It shall be unlawful for the operator of any vehicle to so park the vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for 1 vehicle.

(1987 Code, ' 72.02) Penalty, see ' 72.99

' 72.03 LIMITATIONS OF STOPPING AND PARKING.

It shall be unlawful for the operator of any vehicle to stop or park the vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

(A) On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in ' 72.02.

(B) On a sidewalk.

(C) In front of sidewalk ramps provided for persons with disabilities.

(D) In front of a public or private driveway.

(E) Within an intersection or crosswalk.

(F) At any place where official signs prohibit stopping or parking. This does not apply to police officers when operating properly identified vehicles during the performance of their official duties.

(G) Within 30 feet of any flashing beacon, traffic sign, or traffic-control device.

(H) No person shall move a vehicle not lawfully under his or her control into any prohibited area. (KRS 189.450(5), (6)) (1987 Code, ' 72.03) Penalty, see ' 72.99

' 72.04 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his or her duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

(C) When signs are erected in compliance with the provisions of division (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

(D) When a curb has been painted in compliance with the provisions of division (F) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(E) When signs are erected in compliance with the provisions of division (F) below, in each block giving notice thereof, no person shall park a vehicle between the hours specified by official signs on any day except Sundays on any street so marked.

(F) (1) The city shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to handicapped parking, appropriate signs shall be erected giving notice thereof. However, in lieu of erecting the signs or in conjunction therewith, the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times may be painted a solid yellow color.

(2) No regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require the signs and markings.

(G) When signs are erected in compliance with division (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.

(1987 Code, ' 72.04) Penalty, see ' 72.99

' 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.

(1987 Code, ' 72.05) Penalty, see ' 72.99

' 72.06 PARKING IN EXCESS OF CERTAIN NUMBER OF HOURS PROHIBITED; TOWING AUTHORIZED.

It shall be unlawful for anyone to park in any one place any vehicle on any of the public ways or streets of the city for a period of 24 hours or longer. Any vehicle left parked in any 1 place on any of the public ways or streets of the city for a period of 24 hours or longer shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.

(1987 Code, ' 72.06) Penalty, see ' 72.99

Cross-reference:

Removal of abandoned vehicles, see ' 72.21 *et seq.*

' 72.07 PARKING ON PARADE ROUTE.

(A) The Chief of Police or other authorized city official shall have the authority, whenever in his or her

judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions. (1987 Code, ' 72.07) Penalty, see ' 72.99

Cross-reference:

Parades, see ' ' 71.40 - 71.51

' 72.08 PARKING ON OFF-STREET FACILITY.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of the property or facility.

(B) If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of division (A) of this section, the owner, lessee, or person in charge of the property or facility may have the unauthorized motor vehicle removed in accordance with the provisions of ' ' 72.20 through 72.22.

(C) Every property owner or operator of an off-street parking facility shall post signs stating thereon that the property or parking lot or facility is privately owned and that unauthorized vehicle will be removed at the owner's expense before exercising the authority granted in division (B).

(1987 Code, ' 72.08) Penalty, see ' 72.99

Statutory reference:

Removal of vehicles by owners of private parking lots; signs, see KRS 189.725

' 72.09 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

(1987 Code, ' 72.09) Penalty, see ' 72.99

' 72.10 PARKING IN PARKS.

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the city not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any park or playground where at least 2 wheels of the motor vehicle are resting on such roadway.

(1987 Code, ' 72.10) Penalty, see ' 72.99

' 72.11 DISPLAY OF PARKED VEHICLE FOR SALE.

It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street.

(1987 Code, ' 72.11) Penalty, see ' 72.99

' 72.12 PARKING WITH HANDICAPPED PERMITS.

(A) Any other provision to the contrary notwithstanding, a motor vehicle bearing a decal in its front windshield issued by the County Clerk pursuant to appropriate county ordinances for handicapped persons, when operated by a handicapped person or when transporting a handicapped person, may be parked in a designated handicapped parking place, or when parked in a metered parking space may be parked for 2 hours for no fee, or when parked where any parking limit is imposed may be parked for 2 hours in excess of the parking limit. The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the handicapped person to or from the parked vehicle, but in no circumstances longer than 30 minutes.

(B) This section shall not permit parking in a no stopping@ or no parking@ zone nor where parking is prohibited for the purpose of creating a fire lane or to accommodate heavy traffic during morning, afternoon, or evening hours, nor permit a motor vehicle to be parked in a manner as to constitute a traffic hazard.

(1987 Code, ' 72.12) Penalty, see ' 72.99

IMPOUNDING**' 72.20 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.**

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator's arrest.

(C) All fines, fees, and charges must be paid in full before a release of impoundment can be issued for the vehicle's release.

(1987 Code, ' 72.20)

' 72.21 REQUIRED NOTICE TO OWNER.

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other authority, or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 and within 10 business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number, and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

(B) If a vehicle described in division (A) is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in division (A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 within 10 business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number, and identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after 10 business days from the date of tow. This division (B) shall not apply to a tow lot or storage facility owned or operated by the city.

(KRS 376.275(1), (2)) (1987 Code, ' 72.21)

' 72.22 SALE OF VEHICLE.

Any person engaged in the business of storing or towing motor vehicles in either a private capacity or for the city who has substantially complied with the requirements of ' 72.21 shall have a lien on the motor vehicle for the reasonable or agreed charges for storing or towing the vehicle as long as it remains in his or her possession. If after a period of 45 days, the reasonable or agreed charges for storing or towing a motor vehicle have not been paid, the motor vehicle may be sold to pay the charges after the owner has been notified by certified mail 10 days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting, and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting, and storage charges by the owner or responsible casualty insurer of the vehicle. This lien shall be subject to prior recorded liens.

(KRS 376.275(3)) (1987 Code, ' 72.22)

SNOW EMERGENCY**' 72.35 ANNOUNCEMENT OF SNOW EMERGENCY.**

Whenever the Chief of Police or other authorized city official finds that falling snow, sleet, or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he or she finds on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a condition making it necessary that parking be prohibited, he or she is authorized to announce the prohibition, to become effective at a time specified by him. After the effective time of the prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet, or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Chief of Police or other authorized city official has not announced prior to 11:00 p.m. that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until 7:00 a.m. following the fall. The prohibition of parking announced by the Chief of Police or other authorized city official under the authority of this section shall remain in effect until he or she announces the termination of the snow emergency, in part or in which the prohibition of parking authorized by this section shall no longer be in effect.

(1987 Code, ' 72.35) Penalty, see ' 72.99

' 72.36 TERMINATION OF EMERGENCY.

Whenever the Chief of Police or other authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he or she is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If the announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.

(1987 Code, ' 72.36)

' 72.37 SNOW EMERGENCY ROUTES.

The term SNOW EMERGENCY ROUTE shall mean any route designated by the Chief of Police or other authorized city official. On the street or highway designated as a snow emergency route, special signs shall be posted to this effect.

(1987 Code, ' 72.37)

' 72.99 PENALTY.

Any person receiving a citation for any parking violation in the city shall be deemed to have committed a violation and shall be fined in an amount not less than \$20 nor more than \$100.

(KRS 189.990(1)) (1987 Code, ' 72.99)

CHAPTER 73: BICYCLES AND MOTORCYCLES

Section

- 73.01 Operation of bicycles
- 73.02 Operation of motorcycles and motorscooters
- 73.03 Skating and coasting
- 73.04 Clinging to vehicles

73.99 Penalty

Cross-reference:

Required obedience to traffic directions, see ' 70.02(C)

' 73.01 OPERATION OF BICYCLES.

(A) No person shall operate a bicycle on the sidewalks of the city.

(B) No person shall operate a bicycle on any section of a public park, playground, play lot, or tot lot, except on a roadway or in a parking area.

(C) No operator of any bicycle shall carry another person on the bicycle.

(1987 Code, ' 73.01) Penalty, see ' 73.99

Statutory reference:

Bicycles; safety regulations and standards, see KRS 189.287

' 73.02 OPERATION OF MOTORCYCLES AND MOTORSCOOTERS.

(A) No operator of any motorcycle, motorscooter, or power-driven bicycle shall carry another person except on a seat attached thereto or in a side car attached to the vehicle.

(B) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate the vehicle in any public park, except on a roadway or in a parking area.

(C) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate the vehicle in any play lot or tot lot.

(1987 Code, ' 73.02) Penalty, see ' 73.99

Statutory reference:

Regulations for operating and riding on motorcycles, see KRS 189.285

' 73.03 SKATING AND COASTING.

Except on streets which may be declared from time to time as ~~A~~play streets~~@~~ by the city and protected by barriers or official signs, it shall be unlawful for any person on skates or riding on a coaster sled or toy vehicle of any kind, to go on any roadway except at a crosswalk.

(1987 Code, ' 73.03) Penalty, see ' 73.99

' 73.04 CLINGING TO VEHICLES.

(A) No person while riding on a bicycle, coaster sled, roller skates, or any toy vehicle shall cling to any moving vehicle on any street, or fasten or attach the vehicle on which he or she is riding thereto.

(B) No person shall ride on the projection, running board, or fenders of any vehicle.

(1987 Code, ' 73.04) Penalty, see ' 73.99

' 73.99 PENALTY.

Whoever violates any provision of this chapter shall be deemed to have committed a violation and shall be fined not more than \$50 for each offense.

(1987 Code, ' 73.99)

CHAPTER 74: TRAFFIC SCHEDULES

Schedule

- I. Speed limits
- II. Left turn only

SCHEDULE I. SPEED LIMITS.

(A) No person shall operate a motor vehicle on the following streets at a speed greater than that indicated.

Street	Location	Speed Limit	Ord. No.
Main Street		35 mph	
Salt River Drive	From 31-W to the Salt River Recreational Area	35 mph	520.2
Salt River Recreational Area	Inside the park	15 mph	520.2
South Street		15 mph	1996-09

(B) Any person violating the provisions of this schedule, shall upon conviction, be fined as set forth and prescribed in KRS 189.394, which is incorporated herein and made a part hereof by reference.
(1987 Code, Ch. 74, Sched. I)

SCHEDULE II. LEFT TURN ONLY.

On the following streets, left turn only shall be permitted in the locations indicated.

Street	Location Where Turn Permitted	Ord.
South Street	For westbound traffic at Sixth Street	1996-09

Penalty, see ' 70.99

