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**CITY OF LA GRANDE  
ORDINANCE NUMBER 3077  
SERIES 2009**

**AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC, PARADES AND PROCESSIONS AND ISSUANCE OF PERMITS; PROVIDING PENALTIES; AND REPEALING ORDINANCE NUMBER 2845, SERIES 1993; ALL AMENDING ORDINANCES AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EFFECTIVE DATE**

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

**Section 1.** This Ordinance may be cited as the City of La Grande Uniform Traffic Ordinance.

**Section 2.** APPLICABILITY OF STATE TRAFFIC LAWS.

Oregon Revised Statutes, Chapter 153, and the Oregon Vehicle Code, ORS Chapter 801 and 822, as now constituted, are adopted by reference. Violation of an adopted provision of those chapters is an offense against the City.

**Section 3.** DEFINITIONS

In addition to those definitions contained in the Oregon state Motor Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

a. Alley

A street or highway primarily intended to provide access to the rear or side of lots or buildings in urban areas and not intended for through vehicular traffic.

b. Bicycle

A bicycle is a vehicle that:

1. Is designed to be operated on the ground on wheels;
2. has a seat or saddle for use of the rider;
3. is designed to travel with not more than three (3) wheels in contact with the ground;
4. is propelled exclusively by human power; and,
5. has every wheel more than fourteen inches (14") in diameter or two (2) tandem wheels, either of which is more than fourteen inches (14") in diameter.

c. Bicycle Lane

That part of the highway, adjacent to the roadway, designated by official signs or markings for use by persons riding bicycles, except as otherwise specifically provided by law.

d. Bicycle Path

A public way, not part of a highway, which is designated by official signs or markings for use by persons riding bicycles, except as otherwise specifically provided by law.

e. Block

The part of one side of a street lying between the two (2) nearest cross streets.

f. Central Business District

An area bounded by a line beginning in the center of the intersection of Fourth Street and Jefferson Avenue in La Grande, Oregon; thence along the center of Fourth Street to the center of Washington Avenue; thence along the center of Washington Avenue to the center of Island Avenue; thence along the center to the projected center of Jefferson Avenue; thence along the center of Jefferson Avenue to the point of beginning.

g. City Manager

The person appointed by the City Council in accordance with the City Charter, to perform the duties of the City Manager. The City Manager may designate other persons as his/her designee, to carry out the functions and duties prescribed in this Ordinance.

h. Motor Vehicles

Every vehicle which is self propelled, including tractors, fork-lift trucks, motorcycles, building equipment, street cleaning equipment, and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

i. Parade

A procession which may disrupt or interfere with traffic, consisting of more than twenty (20) people or three (3) vehicles.

j. Parade Route – Standard

The "Standard Parade Route" is defined as follows:

- a. Assemble - south of Adams Avenue between Fir and Hemlock Streets;
- b. route - west on Adams Avenue; and,
- c. disassemble - South of Adams Avenue between Fourth and Third streets.

k. Pedestrian

"Pedestrian" means any person afoot or confined in a wheelchair.

l. Person

A natural person, firm, partnership, association, or corporation.

m. Roadway

The portion of a street or highway, which is improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a street or highway includes two (2) or more separate roadways, the term "roadway" shall refer to any such roadway separately but not to all such roadways collectively.

n. Shoulder

The portion of a highway, whether paved or unpaved, contiguous to the roadway which is primarily for use by pedestrians, for the accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses.

o. Sidewalk

The area determined as follows:

1. On the side of a highway which has a shoulder, a sidewalk is that portion of the highway between the outside lateral line of the shoulder and the adjacent property line capable of being used by a pedestrian.
2. On the side of a highway which has no shoulder, a sidewalk is that portion of the highway between the lateral line of the shoulder and the adjacent property line capable of being used by a pedestrian.

p. Traction Device

A traction device includes any device that attaches to the tire, wheel or vehicle and that augments the traction of a vehicle when used under adverse weather of snow and ice conditions. Tires with studs shall be allowed as traction devices.

q. Traction Tire

Traction tire includes any tire that provides more traction than a conventional tire under adverse weather conditions.

r. Traffic Lane

That area of the roadway used for the movement of a single line of traffic.

s. Vehicle

Any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, including vehicles which are propelled or powered by any means.

**Section 4. POWERS OF THE COUNCIL**

All fees, fines, towing and storage costs, and bails required by this Ordinance shall be established by Resolution of the City Council of the City of La Grande, Oregon.

**Section 5. RESPONSIBILITIES OF THE CITY MANAGER**

Implement the Ordinances, Resolutions, and Motions of the City Council and his/her own orders by authorizing installation, maintenance, removal, and alteration of traffic control devices, including, but not limited to, (a) and (b), as follows. Such installations shall be based on the standards contained in the OREGON MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS.

- a. Crosswalks, safety zones, and traffic lanes: and,
- b. Intersection channelization and areas where drivers of vehicles shall not make right, left, or U-turns, and the time when the prohibition applies.

**Section 6. AUTHORITY OF CITY MANAGER**

The City Manager or designee shall have the authority to review applications for the following permits, make conditions for issuance of those permits, or deny an application for permit for the following:

- a. Oversized or overweight vehicle permits;
- b. log hauling permits; and,
- c. permits to move buildings, vehicles, structures, or loads where the weight, height, length, or width exceeds maximum limits.

**Section 7. AUTHORITY OF POLICE AND FIRE OFFICERS**

- a. Police Officers and Enforcement Officers shall have the authority to enforce the provisions of this Ordinance.
- b. In the event of a fire or other public emergency, officers of the Police and Fire departments may direct traffic as conditions require, notwithstanding the provisions of this Ordinance.

**Section 8. DRIVING UPON OR BLOCKING SIDEWALKS, PLANTING STRIPS, AND CURBS**

A motor vehicle shall not drive upon a sidewalk, planting strip, or curb, except to cross at a permanent or temporary driveway. This Section shall not apply to motorized devices used for snow and ice removal on sidewalks.

**Section 9. BICYCLES**

a. Bicycle Operating Rules

In addition to observing all other applicable provisions of this Ordinance and State law pertaining to bicycles, a person shall:

1. leave the bicycle so as not to obstruct any roadway, sidewalk, driveway, or building entrance.
2. not be allowed to ride a bicycle on the sidewalk during business hours (normally 8:00 a.m. to 6:00 p.m.), or on any special event day, within the Central Business District with the exception of City of La Grande Police Officers who are members of the Bicycle Patrol, operating their bicycles in the course and scope of their duties.

For purposes of this Ordinance, the Central Business District is described in Section 2. DEFINITIONS of this Ordinance.

b. Registration of Bicycles

1. Bicycles may be registered as a Crime Prevention practice in the City of La Grande, Oregon, and to assist police agencies in theft recovery and apprehension of possible theft suspects.
2. A number may be assigned to each bicycle, and a record of the registration issued may be maintained as part of the police records. The name of the City and the registration number assigned maybe affixed to the frame of the bicycle.
3. Bicycle registrations may be renewed whenever the ownership of the bicycle changes.

c. Impounding of Bicycles

1. No person shall leave a bicycle on public or private property without the consent of the person in charge or the owner thereof.
2. A bicycle left on public property for a period in excess of twenty-four (24) hours may be impounded by the Police Department.
3. If a bicycle impounded under this Ordinance is registered or other means of determining its ownership exists, the Police Department shall make reasonable efforts to notify the owner.

4. A bicycle impounded under this Ordinance, which remains unclaimed for thirty (30) days, shall be disposed of in accordance with the City's procedures for disposal of abandon or lost bicycles.

**Section 10.** SKATING OR USING A SKATEBOARD OR ROLLER BLADES ON THE SIDEWALKS, STREETS OR ALLEYS

- a. It shall be unlawful for any person(s) to skate, to use roller blades or to use a skateboard in the City of La Grande, Oregon, where such activity presents a clear and present danger of hurting other people or themselves; where the activity presents a danger of destroying private or public property; and where such activity presents a danger of disrupting government, business, or school activities.
- b. It shall be unlawful for any person to skate, to use roller blades or to use a skateboard during business hours (normally 8:00 a.m. to 6:00 p.m.), or on any special event day, within the Central Business District.
- c. It shall be unlawful for any person to take apparatus for use with skates, roller blades or skateboards on to the public right of way, including, but not limited to, streets, alleys, sidewalks, parking lots, parks and other City facilities. Apparatus found on City facilities and rights of way may be confiscated and destroyed.
- d. This Ordinance shall not apply to any business whose primary purpose is the operation of a roller skating rink on private property within the City.
- e. Any person violating this Ordinance shall, on conviction thereof, be subject to a fine, as set forth by Resolution.

**Section 11.** MOTORCYCLE RIDING ON PRIVATE PROPERTY

No person shall operate a motorcycle or All Terrain Vehicle upon the private property of another person, without written permission from the owner, occupant or lessee of the property.

**Section 12.** USE OF MOTOR VEHICLES IN A CITY PARK

- a. No person shall drive or operate any motor vehicle in a City park, except on such driveways and roadways as are then in existence and designated for that purpose.  
Operation of such vehicles shall be pursuant to such rules and regulations as the Parks Director may promulgate.
- b. A motor vehicle shall not be driven upon any grass area in a City park, unless authorized by the Parks Director or City Manager as part of a community celebration.
- c. This Section shall not apply to City vehicles or to vehicles engaged in maintenance activities authorized by the City.

**Section 13.** USE OF TRACTION DEVICES OR TIRES WITHIN THE CITY

- a. Public Danger. Under conditions constituting a danger to the Public, the City Manager or designee may authorize the temporary installation of traction control devices.
- b. A person commits the offense of failure to use vehicle traction tires or devices if the person drives any motor vehicle or trailer on any City street and the vehicle is not equipped with vehicle traction tires or traction devices that are required under adverse snow and ice conditions between November 1, of any year and April 30, of the following year.

c. The following vehicles are exempt:

1. Police vehicles under any conditions;
2. fire vehicles when responding to a fire;
3. an ambulance when responding to an emergency;
4. A passenger vehicle or truck is not required to use any vehicle traction device if the vehicle or truck:
  - a) has an unloaded weight of 6,500 pounds or less;
  - b) is equipped and operated to provide power to both front and rear wheels;
  - c) is carrying vehicle traction devices, as defined by Oregon Revised Statutes;
  - d) is equipped with tires on all wheels that are vehicle traction tires, as defined by Oregon Revised statutes;
  - e) is not towing another vehicle other than as may be necessary to remove disabled vehicles from the roadway; and
  - f) is not being operated in a manner or under conditions where the vehicle loses traction while stopping, cornering, or moving.
5. Vehicles that are exempt by rule under Oregon Revised statutes.

**Section 14. FUNERAL PROCESSIONS**

- a. A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practical.
- b. The procession shall be accompanied by adequate escort vehicles for traffic control purposes.
- c. All motor vehicles in the procession shall be operated with their lights turned on.
- d. No person shall unreasonably interfere with a funeral procession.
- e. No person shall operate a vehicle which is not a part of the procession, between the vehicles of a funeral procession.

**Section 15. PARADES**

a. Parade Permits

Application for parade permits shall be made to the Chief of Police at least twenty (20) days prior to the intended date of the parade, unless that provision is waived by him/her, and shall include the following information:

1. The name, address, and phone number of the person responsible for the proposed parade.
2. The date of the proposed parade
3. The desired route, including assembling and disassembling points.
4. The estimated number of persons, vehicles, and animals which will be participating in the parade.

5. The proposed starting and ending time.
6. The signature of the person designated as chairman.

b. Approval of applications

1. If the Chief of Police, upon receipt of the application, determines that the parade can be conducted without endangering public safety and without inconveniencing the general public and is the standard parade route, the Chief shall approve the application.
2. A copy of the City Parade Policy and a copy of the approved application will be provided to the applicant and shall serve as a permit.

c. Changes or Denial of Application

1. If the Chief of Police determines that the parade cannot be conducted without endangering public safety or seriously inconveniencing the general public, he/she shall;
  - a) propose an alternate route;
  - b) propose an alternate date;
  - c) establish rules and regulations for the conduct of the parade; or
  - d) refuse to approve the application for a parade.
2. The Chief of Police shall notify the applicant of proposed changes or denial of the application within five (5) days of his/her receipt of the application. Any changes shall be noted on the application.
3. If the Chief of Police refuses to approve an application, the applicant shall have the right to appeal that decision to the City Manager. If the City Manager refuses to approve an application, the applicant shall have the right to appeal the City Manager's decision to the City Council, whose decision shall be final and binding.

d. Prohibited Activity

1. No person shall unreasonably interfere with a parade or parade participant(s);
2. No person shall operate a vehicle which is not part of a parade, between the vehicles or persons comprising a parade.
3. No person shall organize or participate in a parade which may disrupt or interfere with traffic, without obtaining a permit. A permit shall always be required of a procession of people utilizing the public right of way and consisting of twenty (20) or more persons or three (3) or more vehicles.
4. Throwing of candy or other objects by parade participants is prohibited during a parade.

e. Parade Permit Revocable

The Chief of Police may revoke a parade permit if circumstances clearly show that the parade can no longer be conducted consistent with public safety or other conditions established for the parade.

**Section 16. SPECIAL MOVEMENT OF OVERSIZED LOAD**

a. City Regulation of Special Movement of Oversized Load

The applicant shall submit an application to the City Manager or designee, showing the terminal points of the purported movement; the proposed route; the nature of the movement requested, including the weight and dimensions of the vehicle, load, machine, building, or structure to be moved; the time, date and duration of the proposed movement.

b. Special Movement Permit

A permit shall be required to move any vehicle, structure, or load on, or to access a street when, after preparation for movement, the vehicle, structure or load exceeds fourteen feet (14') in height, requires the use of guy wires, or could result in the blockage of a street. An approved application may serve as a permit, and a copy of the approved application shall be provided to the applicant.

**Section 17. TRUCK ROUTES**

- a. It shall be unlawful for any person, firm, or corporation to use, drive or operate any vehicle or combination of vehicles with a gross weight of 26,000, pounds or more upon any street of the City of La Grande, Oregon, except upon posted truck routes.
- b. Any vehicle with a gross weight over 26,000, pounds specifically picking up deliveries or making deliveries to any business or residence located on a street that is not a truck route will be exempted if the vehicle is driven from the truck route to the destination in the shortest, most direct, and safest route.
- c. The use of Jacob brakes shall not be allowed within the city limits of La Grande, Oregon.
- d. Truck routes will be posted as follows:
  1. Walnut street north from the city limits to C Avenue;
  2. C Avenue east from Walnut Street to Gekeler Avenue;
  3. Gekeler Avenue east to the city limits;
  4. 12th street south from Gekeler Avenue to the city limits;
  5. 2nd Street south from the city limits to Adams Avenue;
  6. Monroe Avenue east from Spruce Street to Highway 82;
  7. Jackson Avenue east from Spruce Street, and
  8. Spruce Street south from the city limits to Monroe.

**Section 18. IMPOUNDMENT AND DETENTION OF VEHICLES**

- a. Whenever a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer or enforcement officer shall order the owner or operator of the vehicle to remove said vehicle. If the vehicle is unattended, the officer or enforcement officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner but subsequently became an obstruction or hazard.



- b. The procedures for disposition of a vehicle towed and stored under authority of this Section shall be in accordance with the provisions of the Ordinances of the City of La Grande, Oregon, relating to impoundment and disposition of abandoned vehicles.
- c. The towing of a vehicle will not preclude the issuance of a citation for violation of a provision of this Ordinance.
- d. Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.
- e. If the vehicle has any unpaid traffic violations and thirty (30) days have lapsed from the date of issuance on the original citation, the vehicle may be detained by a mechanical device so as to render the vehicle immobile. A vehicle so detained shall not be released until all outstanding fines and charges have been paid. If a vehicle is detained by the mechanical device for a period longer than twenty-four (24) hours without the owner appearing to pay the fines outstanding, the vehicle shall be stored. Vehicles stored under authority of this Subsection shall be disposed of in the same manner as is provided in the Parking Ordinance.
  - 1. No person other than an officer of the City may remove or attempt to remove the device, or move or attempt to move the vehicle, before it is released by the Police Department or the clerk of the Municipal Court in accordance with this Section. If the device has been removed, or the vehicle has been moved, in violation of this Subsection, in addition to the issuance of a citation for the violation, an enforcement officer or police officer of the City may order the impoundment of the vehicle. After the vehicle has been impounded, the City shall provide notice as provided in this Ordinance and the administrative rules adopted under this Ordinance.
  - 2. A vehicle shall be released and the temporary immobilization device removed when the owner, operator or person in charge of the vehicle:
    - a. Posts bail and pays all fines and bail for parking citations issued against the vehicle, its operator or owner or
    - b. Presents title of bill of sale to the Municipal Court Clerk, verifying ownership of the vehicle at said time the parking citation was issued or verification that the fines have been paid prior to the vehicle being immobilized.
  - 3. The Municipal Court Clerk may for good cause extend the time limit the temporary immobilization device is left attached to a vehicle before it is towed and stored, provided the owner, in writing, assumes all risk of damage to the vehicle while it remains immobilized. The extension of time limit shall not exceed an additional twenty four (24) hours, excluding Sundays and holidays.

#### **Section 19. FINES**

- a. A person cited for a violation of this Ordinance is responsible for payment of any bail/fine fixed for the violation. Fines or bail must be posted in the Finance Department at City Hall, 1000 Adams Avenue, or may be deposited in the collection slot on the east side of City Hall.
- b. Anyone wishing to contest a citation must post bail within thirty (30) days of the date the citation was issued. At the time bail is posted, a Hearing date and time will be set.

**Section 20. APPEALS**

Appeals from hearings conducted by the Hearings Officer for violations of this Ordinance shall be made to the District Court within thirty (30) days.

**Section 21. REPEAL OF CONFLICTING ORDINANCE**

Ordinance number 2836, Series 1992, all amending Ordinances, and all other Ordinances or parts of Ordinances in conflict herewith shall be and hereby are repealed.

**Section 22. SEVERABILITY**

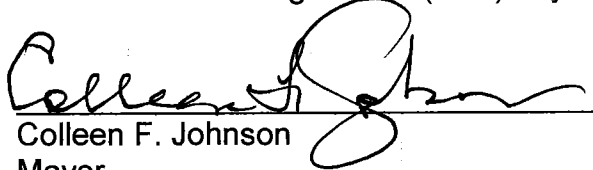
The sections and subsections of this Ordinance are severable. If a section or subsection is found to be invalid or unconstitutional by a court of competent jurisdiction, it shall not affect the validity of the Ordinance as a whole or any of the remaining sections or subsections; and they shall remain in full force and effect.

**Section 23. EFFECTIVE DATE**

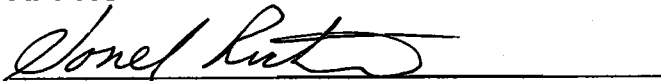
This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, **April 10, 2009.**

ADOPTED this Eighteenth (18<sup>th</sup>) day of February, 2009, by SEVEN (7) of SEVEN (7) Councilors present and voting in the affirmative.

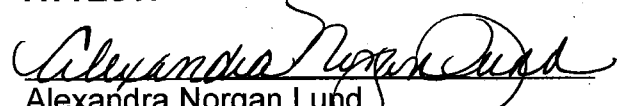
APPROVED this Eighteenth (18<sup>th</sup>) day of February, 2009

  
Colleen F. Johnson  
Mayor

**APPROVED AS TO FORM AND CONTENT:**

  
Jonel Ricker  
Legal Counsel for the City of La Grande

**ATTEST:**

  
Alexandra Norgan Lund  
City Recorder