

# CHAPTER 12

## TRAFFIC

### .01 WEIGHT LIMITS ON STREETS.

- (a) Determination of Limits. The City Engineer shall determine the temporary seasonal and permanent gross weight operating limitations per axle of the various streets and roadways in the City, basing the same upon foundation, base, materials, type of construction, seasonal weather conditions, seasonal frost levels, ground water tables and general ground conditions, and all other factors involved in the construction and maintenance of such streets and roadways.
- (b) Schedule. The City Engineer shall state and determine a temporary seasonal and a permanent safe gross weight load limitation per axle for all vehicular traffic using the streets and roadways, and shall file a schedule of the temporary seasonal and permanent safe gross weight limitations per axle for each street and roadway with the City Clerk.
- (c) Posting limits. The City Engineer shall cause the gross weight limitations per axle to be posted in prominent place in and on the streets and roadways. All such gross weight limits per axle as so determined and posted in and on the streets and roadways shall be the various gross weight limits per axle for all types of vehicles traveling in, on, upon, and over the separate streets and roadways of the City. Each separate street and roadway in the City shall be restricted to vehicular traffic including passenger cars, motor trucks, and all other types of vehicle, which shall have a gross weight per axle not exceeding the amount determined as the various maximum safe gross weight limits per axle for such separate street and roadway and posted in and on the street and roadway, as hereinbefore set forth.
- (d) Conformity and limits. It shall be unlawful for the driver of any vehicle whether passenger car or motor truck or any other type of vehicle, having a gross weight per axle of more than the maximum temporary seasonal or permanent gross weight limits per axle for any separate street and roadway in the City as hereinbefore determined, to come upon, traverse, or travel over or upon any such separate street and roadway in the City.
- (e) Separate offenses. Every separate entry upon any separate street and roadway by the driver of a vehicle having a gross weight per axle in excess of the maximum temporary seasonal or permanent gross weight limits per axle permitted upon such street and roadway shall be deemed to be a separate offense by such driver.
- (f) Weighing Vehicles. Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales. If such scales are not available at the place where such vehicle is stopped, the police officer shall require that such vehicle be driven to the nearest public scales.
- (g) Reducing load. Whenever an officer upon weighing a vehicle and load, as above provided, determines that the weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this section and shall forthwith arrest the driver. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

### .02 PENALTY.

Any person convicted of violating any provision of Section 1(d) of this chapter shall be fined five cents (\$0.05) per pound for each pound and for each axle having a gross weight of more than the maximum temporary seasonal or permanent gross weight limits.

### .03 SQUEALING TIRES.

No person shall drive any vehicle in such a manner as to cause the tire to squeal or make abnormal noises upon the pavement.

#### **.04 PENALTY FOR SQUEALING TIRES.**

Any person convicted of the offense set forth at .03 above shall be guilty of a Class C Misdemeanor, punishable by fine of at least \$50.00, but not to exceed \$500.00.

#### **.05 BICYCLES.**

- (a) Application of Section. No bicycle shall be operated upon any street, highway, or sidewalk, or in any park or public place, except in accordance with the provisions of this Section .05. (1984-6)
- (b) Definition. A bicycle shall mean every device propelled by human power upon which any person may ride, having two tandem wheels. (1990-8)
- (c) Responsibility of Parents and Guardians. The parent of any minor child, and the guardian of any ward, shall not authorize or knowingly permit such child or ward to violate any of the provision of this Section .05. (1984-6)
- (d) Equipment.

1 Brakes. No bicycle shall be operated upon any street or highway, or in any park or public place, unless it is equipped with a brake adequate to control its movement and to stop it when necessary. (1984-6)

2 Lamps and Reflectors. Every bicycle when operated during the hours of darkness at night shall be equipped with a lamp on the front displaying a white light visible from a distance of at least 500 feet, and with a red reflector on the rear visible at all distances within 300 feet when directed in front of lawful upper beams of headlights on a motor vehicle. A lamp displaying a red light visible from a distance of not less than 300 feet may be used instead of such rear reflector. (1984-6)

- (e) Traffic Rules.

1 Passengers. No more than one person shall ride at any time upon any single-seated bicycle, upon any street or highway, or in any park or public place in the City of Fairbury. (1984-6)

2 Clinging to Vehicles. No person riding a bicycle shall cling to or attach himself or his bicycle to any moving motor vehicle or other vehicle. (1984-6)

3 Speed. No person shall ride a bicycle at a speed greater than is reasonable and proper, having regard to the safety of the rider and others. (1984-6)

4 Riding Abreast. Persons operating bicycles upon a street or highway, or in any part or public place shall not ride more than two abreast, and shall ride close together so that they do not occupy more of the width of the roadway than would be occupied by an automobile traveling in the same direction. (1984-6)

5 Riding on Right. Every person riding a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, and shall exercise due care when passing a standing vehicle or one proceeding in the same direction. (1984-6)

6 Carrying Articles. No person riding a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars of the bicycle at all times. (1984-6)

7 Parking. No person shall park any bicycle in any street, highway, or park, or upon any sidewalk, in such a manner as to interfere with the safety or movement of pedestrian or vehicular traffic. (1984-6)

8 Riding on Sidewalks. No persons shall ride any bicycle along or upon any public sidewalk in front of any business, house or public building in the following areas of the City of Fairbury:

- (i) that part of the City of Fairbury bounded on the west by First Street, on the north by Maple Street, on the east by Fifth Street, and on the south by Walnut street,
- (ii) and also the sidewalk located on the south side of Walnut Street in the blocks between Second Street and Fourth Street,
- (iii) and also the sidewalks located on either side of Locust Street between Fifth Street and Seventh Street.

If any person rides a bicycle along or upon any other public sidewalk in the City of Fairbury, said bicycles shall be operated in single file only. Under all circumstances, the rider shall yield the right-of-way to pedestrians using the sidewalk, and due and proper care shall at all times be exercised by the rider for the pedestrians. When approaching a pedestrian on the sidewalk, the speed of the bicycle shall be reduced to a speed which is no greater than necessary to continue the operation of the bicycle without the rider dismounting, and shall not be increased until the pedestrian has been passed. (1990-8)

9 Trick Riding. No rider of a bicycle shall remove both hands from the handlebars, or his feet from the pedals while riding, or practice any trick, fancy or acrobatic riding upon any public street, highway, or sidewalk. (1984-6)

- (f) Removal of License Tags. It shall be unlawful for any person to remove, destroy, mutilate or alter any license tag or plate attached to any bicycle. (1984-6)
- (g) Enforcement and Penalty. Any person violating any of the provision of this Section .05 shall be subject to a fine not to exceed \$10.00 for each offense. Any police officer is hereby authorized and empowered to impound for a period not to exceed thirty days any bicycle operated in violation of any of the provisions of this Section .05, or in violation of any of the ordinances of the City of Fairbury or Statutes of the State of Illinois regulating traffic, so far as they are applicable. The impounding of a bicycle shall not preclude the imposition of any other penalties by this Section .05. (1984-6)

#### **.06 HUMAN PROPELLED VEHICLES.**

- (a) Definition. Human propelled vehicle as used in this section, shall mean any wheeled vehicle or device propelled by human power, except bicycles, and which can be used for the transportation or movement of human beings but excluding wheel chairs and similar vehicles used for people who are disabled or handicapped and also excluding carriages and strollers used for transporting infants. This definition includes but is not limited to those devices commonly called skateboards and scooters. (1990-7)
- (b) No person shall ride any human propelled vehicle, as defined in paragraph (a) above, along or upon any public sidewalk in front of any business, house, or public building in the following described portion of the City of Fairbury: (1990-7)
  - (i) that part of the City of Fairbury bounded on the west by First Street, on the north by Maple Street, on the east by Fifth Street, and on the south by Walnut Street, (1990-7)
  - (ii) and also the sidewalk located on the south side of Walnut Street in the blocks between Second Street and Fourth Street, (1990-7)
  - (iii) and also the sidewalks located on either side of Locust Street between Fifth Street and Seventh Street. (1990-7)
- (c) Enforcement and Penalty. Any person violating any of the provisions of this Section .06 shall be subject to a fine not to exceed \$10.00 for each offense. Any police officer is hereby authorized and empowered to impound for a period not to exceed thirty days any human propelled vehicle as defined in paragraph (a) above which is operated in violation of any of the provisions of this Section .06, or in violation of any of the ordinances of the City of Fairbury or Statutes of the State of Illinois regulating traffic, so far as they are applicable. The impounding of a human propelled vehicle as defined in paragraph (a) above shall not preclude the imposition of any other penalties provided by this Section .06. (1990-7)

#### **.07 PARKING RULES.**

- (a) At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a policeman or traffic control device: (1990-6)
  - 1) In any intersection. (1990-6)
  - 2) In a crosswalk. (1990-6)

- 3) Within thirty feet of a traffic signal, beacon, or sign on the approaching side. (1990-6)
  - 4) Within twenty feet of any intersection or crosswalk. (1990-6)
  - 5) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than eighteen feet. (1990-6)
  - 6) At any place where the vehicle would block the use of a driveway. (1990-6)
  - 7) On any sidewalk or parkway. (1990-6)
  - 8) At any place where official signs prohibit parking. (1990-6)
  - 9) On either side of First Street at any place within the city limits in the City of Fairbury. (1990-6)
  - 10) It shall be unlawful to park any vehicle on any public street in the city at any time within twelve hours after a snowfall of three inches or more has occurred. (1990-6)
  - 11) No vehicle shall be parked with the left side of such vehicle next to the curb, except on one-way streets, and it shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within twelve inches of the regularly established curb line, except that upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks. (1990-6)
  - 12) Within fifteen feet of a fire hydrant. (1990-6)
  - 13) At any place where the vehicle would block the use an alleyway. (1990-6)
  - 14) Within twenty feet of the driveway entrance to any fire department station and on the side of the street opposite the entrance to any such station within seventy-five feet of such entrance when properly sign posted. (1990-6)
  - 15) At any place where the vehicle would block the use of an emergency vehicle drive or lane. (1990-6)
  - 16) No vehicle shall be parked in any parking place specifically reserved for handicapped vehicles by the posting of an official sign reserving a space for handicapped parking unless such motor vehicle has registration plate or decals issued to a handicapped person or to a disabled veteran as evidence that the vehicle is operated by or for handicapped person or disable veteran. (1990-6)
  - 17) No vehicle shall be parked on the southbound (west) side of Third Street between Chestnut Street and Pine Street on Saturdays between the dates of April 15<sup>th</sup> and October 15<sup>th</sup>. (2018-8)
- (b) Any person in violation of any part of this Ordinance shall be notified of said violation by a police officer affixing a ticket, informing the violator of the type of violation and the time thereof, on the windshield of said vehicle. (1990-6)
  - (c) Any person violating paragraphs (a) 1 - (a) 11 inclusive of the foregoing section (a) shall be subject to a fine of Five Dollars (\$5.00) for each violation. Any person violating paragraphs (a) 12 and (a) 13 inclusive of the above section (a) shall be subject to a fine of Ten Dollars (\$10.00) for each violation. Any person violating paragraphs (a) 14 and (a) 15 inclusive of the above section (a) shall be subject to a fine of Twenty-Five Dollars (\$25.00) for each violation. Any person violating paragraph (a) 16 of the above section (a) shall be subject to a fine of Fifty Dollars (\$50.00) for each violation. (1990-6)
  - (d) Should any person refuse to remove a vehicle parked in violation of this Ordinance, after being so directed by a police officer, it shall be towed away at the owner's expense. (1990-6)
- \*18 (A) No semitrailer, truck tractor, open truck weighing more than one ton, boxed vehicle weighing more that one ton, or motor home or recreational vehicle or trailer or fifth wheeler shall be parked for more than five hours, except for loading and unloading, on any street, including the parkway, in a residential district of the City of Fairbury as designated in the Zoning Ordinance of the City of Fairbury, provided, however, that motor homes and recreational vehicles, trailer or fifth wheelers may be parked for up to twenty-four hours once per week on the street in front of the residence of the owner of the motor home, recreational vehicle, trailer, or fifth wheeler. (2000-4) \*Renumbered (2018-8)

(B) For purposes of this subsection any street which forms the boundary between a residential district and a non-residential district shall be considered to lie entirely within a residential district. (2000-4)

(C) Trailer, semitrailer, and truck tractor shall have the same definitions as found in the Illinois Motor Vehicle Code. (2000-4)

(D) Parkway shall mean that part of the street right-of-way which is not paved and included all the area between the paved portion of the street and the sidewalk where there are sidewalks. (2000-4)

\*19) A truck tractor can be parked by the driver thereof on a lot owned or rented by the driver for his residence in a residential district to the City of Fairbury as designated in the Zoning Ordinance of the City of Fairbury provided that the truck tractor shall not be allowed to run except immediately before leaving the lot. (2000-4) \*Renumbered (2018-8)

Any person violating paragraph (a) 17 or (a) 18 of the above section (a) shall be subject to a fine of Fifty Dollars (\$50.00) for each violation. (2000-4)

### **.08 GOLF CARTS ON CITY STREETS. (Added 2008-8)**

(a) Operation of Golf Carts on City Streets.

1. The term "golf cart" means a vehicle specifically designed and intended for the purpose of transporting one or more persons and their golf clubs or maintenance equipment.
2. A golf cart may be operated on city streets only after it has been registered with the Police Department of the City of Fairbury. A registration permit shall be in the form of a sticker affixed to the golf cart. A registration permit shall be issued only if the golf cart has two headlights in front, two red taillights, red reflectors on each side, and proof of insurance. At the time of registration the police shall also take a photograph of the golf cart for police department records. Said registration, shall be valid for only one calendar year but may be renewed January 1 of each year. The fee for registration and for each renewal shall be \$10.00. (2011-4)
3. The owner of the golf cart must have proof of liability insurance providing coverage while the golf cart is operated on city streets and which liability insurance meets or exceeds the requirements of the Illinois safety and family financial responsibility law, 625 Illinois Compiled Statutes 5/700 et seq.
4. A golf cart may only be operated on city streets by a person who is in possession of a valid drivers license.
5. No golf cart may be operated on First Street or Seventh Street.

(b) Enforcement and Penalty. Any person violating any of the provisions of this Section .08 shall be subject to a fine of \$50.00 for each offense, court costs, and the city's attorney's fees.