

ORDINANCE NO. 221

AN ORDINANCE REQUIRING OPERATORS OF MOTOR VEHICLES IN THE CITY OF ST. MARYS, MISSOURI, TO USE THE HIGHEST DEGREE OF CARE; PROVIDED, THAT THE OPERATION OF A MOTOR VEHICLE IN EXCESS OF THIRTY (30) MILES PER HOUR FOR A DISTANCE OF THREE HUNDRED (300) FEET SHALL BE PRESUMPTIVE BUT NOT CONCLUSIVE OF A LACK OF CARE; REQUIRING OPERATORS OF MOTOR VEHICLES TO STOP AT CERTAIN STREET AND/OR HIGHWAY INTERSECTIONS; REQUIRING OPERATORS OF MOTOR VEHICLES TO YIELD THE RIGHT OF WAY TO PEDESTRIANS; REQUIRING OPERATORS OF MOTOR VEHICLES TO STOP AT STOP SIGNS; AUTHORIZING THE ERECTION OF WARNING SIGNS; PROVIDING A PENALTY FOR VIOLATIONS; DEFINING CERTAIN WORDS AND PHRASES AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARYS, MISSOURI, AS FOLLOWS:

SECTION 1. Defining Certain Words and Phrases.

The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article.

(a) MOTOR VEHICLES: Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley, but not operated upon rails.

(b) TRAFFIC: Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any street for purposes of travel.

(c) STOP: When required means complete cessation of movement.

(d) STOP OR STOPPING: When prohibited means any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

(e) PERSON: Every natural person, firm, copartnership, association, or corporation.

(f) PEDESTRIAN: Any person afoot.

(g) STREET OR HIGHWAY: The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes or vehicular traffic.

(h) INTERSECTION: The area embraced within the prolongation or connection of the lateral curve lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(i) SAFETY ZONE: The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(j) OFFICIAL TRAFFIC CONTROL DEVICES: All signs, signals, markings, and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

SECTION 2. Every person operating a motor vehicle on any public street, alley or highway in the City of St. Marys, Missouri, shall operate the same in a careful and prudent manner and shall exercise the highest degree of care and at a rate of speed so as not to endanger the property of others or the life or limb of any person; PROVIDED, that a rate of speed in excess of thirty (30) miles per hour for a distance of three hundred (300) feet shall be considered as evidence presumptive but not conclusive of driving at a rate of speed which is not careful and prudent, but the burden of proof shall continue to be on the prosecution to show by competent evidence that at the time and place charged the operator was driving at a rate of speed which was not careful and prudent considering all conditions at said time and place.

SECTION 3. (a) Every person operating a motor vehicle shall come to a complete stop before driving onto or across any street or thoroughfare over which any U. S. Missouri and/or Missouri State Highway is now or may hereafter be routed.

(b) Every person operating a motor vehicle shall come to a complete stop upon approaching and before passing any authorized stop sign.

(c) Every person operating a motor vehicle shall come to a complete stop upon approaching and before passing any stop sign when same is in place on roadway in a marked, designated school zone.

(d) The driver of any motor vehicle shall obey the instructions of any official control device applicable thereto placed in accordance with the traffic ordinances of this city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.

(e) No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(f) PLAY STREETS: Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any said street or portion thereof.

SECTION 4. The operator of a motor vehicle shall yield the right of way slowing down or stopping if need be to a pedestrian crossing the roadway within any marked or unmarked crosswalk at any intersection.

SECTION 5. OBEDIENCE TO NO-TURN SIGNS AND TURNING MARKERS; Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no operator of a motor vehicle shall disobey the directions of any such sign, and when authorized marks, buttons, or other indications are placed within an intersection and or along the traveled portion of streets and/or highways indicating the course to be traveled by vehicles turning thereat, no operator of a vehicle shall disobey the directions of such indications, unless otherwise directed by a police officer.

SECTION 6. The State Highway Commission of Missouri, its employees, and/or the proper officials or employees of the City of St. Mary, Missouri, are and shall be authorized to paint or erect signs and markers on the surface or by the side of the traveled portion of streets and highways as a warning to motor vehicle operators.

SECTION 7. REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE: It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this ordinance, and upon conviction thereof shall be punished by a fine of not less than ~~one~~ (\$5.00) Dollar, and not more than One Hundred (\$100.00) Dollars, together with costs of prosecution.

SECTION 8. All ordinances or parts of ordinances inconsistent with, contrary to or in conflict with the provisions of this ordinance are hereby repealed.

1947. Passed and approved on the 4 day of June.

L. B. Lassus  
Mayor

Attest:

W. M. Walters  
City Clerk