

ORDINANCE NO. 16

AN ORDINANCE RELATING TO THE OPERATION OF VEHICLES AND DRIVING REGULATIONS AND PROVIDING FOR PUNISHMENT IN CASE OF VIOLATION THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS:

1. DEFINITION: Vehicle. Every device in upon, or by which any person or property is or may be transported or drawn upon a highway, road, street or alley, except devices moved by human power.
2. The driver of any motor vehicle within the town of Ennis must present to an officer on demand a drivers license valid under the laws of the State of Montana. However, no person charged with violating this section shall be convicted if he produces in court a license issued to him and valid at the time of his arrest.
3. Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, by-pass, dual pipes or similar device upon a vehicle within the corporate limits of the Town of Ennis. This is creating a disturbance by making unnecessary noise.

DRIVING REGULATIONS:

4. No person shall wilfully fail or refuse to comply with any order or direction of any police or any highway patrol officer pertaining to the use of highways, streets or alleys.
5. No vehicle shall be turned at any time unless it is in proper position and unless it can be turned safely. No person shall turn any vehicle without giving an appropriate signal. No person shall stop or decrease the speed of a vehicle without signaling when there is opportunity to give such signal.
6. Vehicles shall not be driven at unreasonable slow rates of speed so that they obstruct the smooth flow of traffic.
7. No driver shall follow another more closely than is reasonable and prudent, having due regard for the speed of such vehicles, traffic, weather and roadway conditions, so that the driver can stop safely. KEEP YOUR DISTANCE.
8. Traffic facing the Flashing Red or Stop Signal shall stop and shall not proceed until it is safe to do so.
9. Traffic facing the Flashing Yellow or Caution Signal shall reduce speed and proceed through the intersection with caution.
10. Vehicles approaching an intersection shall yield the right

of way to vehicles which have entered the intersection.

11. When two vehicles enter an intersection at approximately the same time the driver on the left shall yield the right of way to the driver on the right.
12. Drivers intending to turn left shall signal and yield right of way to any vehicle within the intersection or which is so close as to constitute a hazard.
13. When entering streets or intersections controlled by stop signals, drivers must stop and yield right of way to all pedestrians and to all vehicles.
14. Drivers approaching a Yield Right of Way sign shall slow to 15 miles an hour and yield right of way to all vehicles.
15. Vehicles entering a street from a private road or driveway must stop and yield right of way to all vehicles.
16. Drivers emerging from an alley, driveway or building must stop and yield right of way to all pedestrians and vehicles.
17. Driving a motor vehicle in wilful or wanton disregard for the safety of persons or property is "reckless" driving and a crime.
18. It is unlawful to operate a motor vehicle in Montana while under the influence of intoxicating liquor or narcotic or other drug.
19. Vehicles shall not follow any fire apparatus traveling in response to an alarm closer than 500 feet or drive or park within the block where the fire equipment has stopped. It is unlawful to drive over an unprotected fire hose at a fire or any other place where the hose is in use without consent of fire department official in command.
20. No person shall stop or park a vehicle, except when necessary to avoid conflict with the traffic or in compliance with the law, in any of the following places:
  - a. On a sidewalk;
  - b. In front of a public or private driveway;
  - c. Within an intersection;
  - d. Within 15 feet of a fire hydrant;
  - e. On a cross walk;
  - f. Within 15 feet of the driveway entrance to a fire station;
  - g. On the roadway side of any vehicle stopped or parked at the edge of a street.
21. Every vehicle shall be equipped with a horn capable of emitting sound audible for 200 feet. The driver of a vehicle shall, when necessary to insure safe operation, give warning with his horn but shall not otherwise use such horn.

22. No vehicle shall be operated without a windshield wiper. Every vehicle which is so constructed or loaded so as to obstruct the driver's view to the rear shall be equipped with a rear view mirror enabling the driver to see to the rear 200 feet.
23. All vehicles shall be equipped with proper lights as required by the Montana Highway Code. While driving where there are street lights the lights must be dimmed or down.
24. No motor vehicle shall be driven without all necessary licenses or permits. License plates must be on the vehicle by February 15 of each year unless stipulated otherwise by State Law.
25. No person shall put or leave upon any street or alley any glass, nails, tacks, wire, cans or any substance likely to injure any person, animal or vehicle.
26. The use of radar shall be legal within the corporate limits of the Town of Ennis.
27. The maximum speed within the corporate limits of the Town of Ennis shall be 25 miles per hour.
- 25 28. No vehicle shall be permitted to make a left turn between street intersections on Main Street except for the purpose of entering a driveway on the opposite side of the street. "U" turns at street intersections or at designated places.

PENALTIES FOR VIOLATION:

It is a misdemeanor for any person to violate any of the provisions of this act unless such violation is declared to be a felony. Every person convicted of a misdemeanor for a violation of this Ordinance, for which another penalty is not provided, shall for a first conviction be punished by a fine of not less than \$10.00 or more than \$100.00 or by imprisonment for not more than ten days; for a second conviction within one year the fine shall be not less than \$25.00 or more than \$200.00 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third conviction within one year the fine shall be not less than \$50.00 or more than \$500.00 or by imprisonment for not more than 6 months or by both such fine and imprisonment.

RECKLESS DRIVING:

Every person convicted of reckless driving shall be punished upon the first conviction by imprisonment for not more than ninety days, or by a fine of not less than \$25.00 nor more than \$300.00, or by both such fine and imprisonment; upon a second conviction the fine shall not be less than \$50.00 nor more than \$500.00 or by imprisonment for not less than 10 days nor more than six months or by both such fine and imprisonment.

DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR:

Every person who is convicted of a violation of this section shall be punished by imprisonment in the county or city jail for not more than six months or by a fine of not less than \$100.00 nor more than \$500.00 or by both such fine and imprisonment. On a ~~x~~ second conviction he shall be punished by imprisonment in the county or city jail for not less than ten days nor more than six months, to which may be added at the discretion of the Court, a fine of not less than \$300.00 nor more than \$500.00. On the third or subsequent conviction he shall be punished by imprisonment for a term of not less than 30 days nor more than one year, to which may be added at the discretion of the Court, a fine of not less than \$500.00 nor more than \$1000.00.

ALL ORDINANCES OR PARTS OF ORDINANCES WHICH CONFLICT WITH THIS ACT ARE HEREBY REPEALED.

THIS BEING DEEMED A SAFETY MEASURE IT WILL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON ITS PASSAGE AND APPROVAL.

Passed by the Town Council of the Town of Ennis and approved by the Mayor this 5th day Of July 1960.

Chas.E.M.Bauer, Mayor.

ATTEST;

June Hartkopf, Town Clerk