

## CHAPTER 13

### MOTOR VEHICLES AND TRAFFIC 1

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### **ARTICLE I. GENERALLY**

#### **SEC. 13-1. ADOPTION OF STATE LAW – GENERALLY.**

Sections 31-5-101 through 31-5-1402 of the Wyoming Statutes, 1977, being the Uniform Act Regulating Traffic on Highways, except such sections or parts thereof, as are expected therefrom by Sec. 13-2, are hereby adopted by reference and incorporated herein as a part of this Code as fully as if completely set out herein, all in accordance with and under the authority of Section 15-1-120 of the Wyoming Statutes, 1977. One copy of such state law is on file in the office of the City Clerk and is available for public examination. (Ord. 1211, § 1, 3/02)

#### **SEC. 13-2. SAME – EXCEPTIONS.**

The following sections, or parts thereof, of the Uniform Act Regulating Traffic on Highways are specifically exempt and deleted from such Act as adopted by Sec. 13-1 of this Code:

- a) Sections 31-5-109 through 31-5-111.
- b) Sections 31-5-113 and 31-5-114.
- c) Sections 31-5-119 and 31-5-120.
- d) Sections 31-5-227 and 31-5-233
- e) Sections 31-5-301 through 31-5-303.
- f) Sections 31-5-501 and 31-5-502.
- g) Section 31-5-513.
- h) Sections 31-5-934 through 31-5-939.
- i) Sections 31-5-1001 through 31-5-1101.
- j) Sections 31-5-1107 through 31-5-1201. (Ord. 981, § 1, 2/82)

#### **SEC. 13-3. AUTHORITY AND DUTY OF POLICE AND FIRE DEPARTMENT OFFICIALS.**

a) It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police to enforce all traffic laws of the City of Buffalo and of the state, applicable to traffic in the City of Buffalo.

b) Officers of the Police Department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws; provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of this chapter or state traffic laws.

c) Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police in directing traffic thereat or in the immediate vicinity. (Ord. 541, § 2, 12/55)

#### **SEC. 13-4. OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS.**<sup>2</sup>

No person shall willfully fail or refuse to comply with any lawful order or direction of a Police Officer or Fire Department official. (Ord. 541, 12/55)

2. For state law as to obedience to police, see W.S. 1997, § 31-5-105.

#### **SEC. 13-5. SPEED LIMITS GENERALLY.**

a) No person shall drive a vehicle on a street in the City of Buffalo at a speed greater than what is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing.

b) Except when special hazards exist that require a lower speed for compliance of subsection (A) of this section, the limits specified in this subsection or established hereinafter authorized shall be the maximum lawful speeds and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits.

1) Twenty miles per hour when passing a school building or the grounds thereof, or a school crossing during the school recess or when children are going to or leaving school during opening or closing hours; providing, that the presence of such school ground or building thereof or school crossing is indicated plainly by signs or signals conforming to the provisions thereof.

2) Twenty miles per hour in any City street, alley or other portion of the urban area of the City of Buffalo except Fort Street, Main Street and U.S. Highway 16, which shall be thirty miles per hour unless otherwise designated.

3) Twenty miles per hour within the business district as designated such. (Ord. 719, 7/70)

#### **SEC. 13-6. USE OF SKATEBOARDS, SLEDS, TOBOGGANS, ROLLER SKATES, SKIS, COASTERS, AND OTHER SIMILAR DEVICES.**

1) Definitions: As used in this chapter, the following words shall have the meanings herein ascribed to them:

a) Skate: A metallic runner with a frame shaped to fit the sole of a shoe or permanently affixed thereto and used for gliding on snow or ice.

b) Roller Skate: A skate with wheels rather than a runner.

c) Skateboard: A device propelled by human power or by mechanical power by a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters displacement and producing no more than two (2) brake horsepower, upon which a person may stand and ride, consisting of a board or other flat surface with roller skate wheels or other wheels of similar size and dimensions affixed to the underside thereof for locomotion.

(Ord. 1239, 10/04)

d) Sled: A vehicle on runners used for sliding on snow or ice.

e) Toboggan: A flat-bottomed board or other material bound one to each foot and used for sliding on snow or ice.

f) Ski: One of a pair or strips of wood or other material bound one to each foot and used for sliding on snow or ice.

g) Coaster: A device propelled by human power or by mechanical power by a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters displacement and producing no more than two (2) brake horsepower, which a person may stand on and ride, similar to a skateboard, except with handlebars for steering.(Ord. 1239, 10/04)

2) It shall be unlawful for any person to operate a skateboard, skate, sled, toboggan, roller skates, skis, coaster or any like vehicles, upon any roadway or alley of the City or upon any sidewalk of the City located along Main Street between the intersection of Main Street and Bennett Street and Main Street and Fort Street. This section shall not apply upon any street while set aside as a play street as authorized by Sec. 13-7.

3) It shall be unlawful for any person upon roller skates, roller blades, skateboards, coasters, sleds, toboggans, or any similar device to go upon any property, during or after business hours, located in the City, that is posted as a no access area. (Ord. 1249, 7/05)

**SEC. 13-7. PLAY STREETS.**

The Chief of the Police Department shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same. 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 such drive shall exercise the greatest care in driving upon any such street or portion thereof. (Ord. 541, 12/55)

**SEC. 13-8. ESTABLISHMENT AND DESIGNATION OF CROSSWALKS AND SAFETY ZONES.**

The Chief of the Police Department is hereby authorized:

a) To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

b) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (Ord. 541, 12/55)

**SEC. 13-9. TRAFFIC LANES.**<sup>4</sup>

a) The Chief of the Police Department is hereby authorized to mark traffic lanes upon the roadway of any street or highway where regular alignment of traffic is necessary.

b) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement. (Ord. 541, § 15, 12/55)

3. For state law as to driving in roadways laned for traffic, see W.S. 1977, § 31-5-209.

**SEC. 13-10. OPERATING A VEHICLE WITH EXPIRED OR IMPROPER REGISTRATION.**<sup>5</sup>

a) No person shall knowingly operate, nor shall an owner knowingly permit to be operated upon any highway or other publicly maintained roadway any vehicle:

- 1) Unless a valid certificate of title, certificate of registration and license plates or temporary permits have been issued for the vehicle except as otherwise provided by this act;
- 2) Unless valid license plates or permits issued for the vehicle are displayed on the vehicle as provided by this act except as otherwise provided by this act;
- 3) With license plates, validation stickers or license permits altered, mutilated or obscure so as to prevent the license plate number from being easily read;

b) No person shall alter or mutilate any valid license plate, sticker or permit.

c) No person shall sell or transfer his interest in a vehicle for which a certificate of title is required unless he has obtained a certificate and assigns his interest on the title except as otherwise provided by this act.

d) No person shall operate a vehicle in any manner with an expired or improper registration, permit, decal or any other department approved registration up any highway or other publicly maintained roadway. (Ord 1355, 4/2012)

**SEC. 13-10.1. OPERATING A VEHICLE WITH NO MOTOR VEHICLE LIABILITY POLICY.**

No owner of a motor vehicle required to be registered or which is required to be registered within a period of time, shall operate or permit the operation of his motor vehicle without having in full force and effect a motor vehicle liability policy in amounts provided by W.S. §41-9-405(b) or a bond in amounts provided by W.S. §31-9-102(a)(xi). (Ord. 1354 4/2012)

**SEC. 13-11. DESIGNATION OF THROUGH STREETS; EXCEPTION.**

Unless otherwise provided by location of appropriate traffic control signs as may be determined by the Chief of Police at intersections contrary to designated through streets, all streets and parts of streets in the City of Buffalo generally designated as avenues which run north and south, and East Bennett Street, East Parmalee Street, East Gatchell Street, Keays Street and East Brock Street are hereby declared through streets in the City of Buffalo. (Ord. 792, § 1, 6/73)

**SEC. 13-12. RESTRICTED TURNS.**

The Chief of Police is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event, the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

Whenever authorized signs are erected indicating that no right, left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street, unless such movement can be made in safety and without interfering with other traffic. (Ord. 541, § 23, 12/55)

**SEC. 13-13. ENTERING INTERSECTIONS OR MARKED CROSSWALK.**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. 541, §22,12/55)

**SEC. 13-14. UNLAWFUL TO TAMPER WITH, DEFACE, MARK OR INJURE VEHICLE; THROWING STONES, ETC., AT VEHICLES.<sup>6</sup>**

It shall be unlawful for any person not the owner or operator thereof, to tamper, meddle or interfere with any automobile, motorcycle or similar vehicle, or to start or attempt to start the engine while the same is standing still, or to puncture or otherwise mutilate the tires, or to scratch, mark or otherwise deface the body or apparatus thereof, or to take or remove from such automobile, or other motor vehicle any part or portions of the machine, equipment or other portion thereof, or to throw, cast or hurl any stones, rock, glass or other missiles at any automobile or occupant thereof. (R.O. 1955, § 31-21)

6. As to throwing missiles generally, see § 16-33 of this Code.

**SEC. 13-14.1. CARELESS DRIVING.**

Careless driving shall be defined as that manner of operating a vehicle to be so heedless and incautious as to evidence a lack of care for the probably or foreseeable consequence of such driving.

Any person convicted of careless driving upon any street, roadway, alley, private way, public or private parking lot, area or elsewhere in the City shall be fined in accordance with the general penalties under the ordinances of the City. (Ord. 696, § 1, 2, 10/68)

**SEC. 13-14.2. ONE-WAY TRAFFIC ON CERTAIN STREETS.**

That portion of East Fetterman Avenue between Main Street and Lobban Avenue on the north side of Clear Creek is hereby designated a one-way street, to be used by traffic moving in an easterly direction. (Ord. 880, 5/77)

That portion of West Fetterman Avenue north of Clear Creek between Adams Avenue and Burritt Avenue shall be, and is hereby, designated a one-way street for vehicular traffic moving in westerly direction only, between the dates of Sept. 1 and May 31 of the following year. From June 1 to Aug. 31 of each year such street may be designated for two-way traffic by order of the Chief of Police. (Ord. 956, § 1, 7/81)

Anyone who shall be convicted of operating a motor vehicle moving the wrong way on the hereinabove designated one-way streets shall be deemed guilty of a misdemeanor and punished as the law provides. (Ord. 956, § 1, 7/81)

**SEC. 13-14.3. OPERATION OF GOLF CARTS ON CERTAIN STREETS.**

a) For the purposes of this ordinance, the following words and terms have the definitions ascribed to them in this section:

Golf cart shall mean a motorized cart for carrying golfers and their equipment over a golf course.

Authorized street shall mean a public street designated by the City Council as being one upon which a person may operate a golf cart.

b) A person shall not operate a golf cart on any public street within the City unless:

1) He is duly licensed to operate a motor vehicle upon public streets;

2) He is operating the golf cart on an authorized street for the purpose of traveling to and from a golf course, or between portions of a golf course; and,

3) The time of operation is between sunrise and sunset.

c) A person operating a golf cart on an authorized street shall:

1) Comply with all laws governing the operation of a motor vehicle, except for those laws requiring certain safety equipment specific to motor vehicles, including, by way of example and without limitation, those which require equipment such as headlights, taillights and safety belts.

2) Not operate a golf cart on an authorized street in violation of the provisions of W.S. 31-5-233, relating to driving while under the influence. For the purposes of this paragraph, a golf cart shall be deemed to be a vehicle. Subject to the restrictions of paragraphs (A), (B) and (C) of this ordinance, a person who is duly licensed to operate a motor vehicle upon public streets may operate a registered golf cart on any street within the City of Buffalo, except Main Street, Fort Street and East Hart Street for the purpose of traveling to and from a golf course, or between portions of a golf course. (Ord. 1159, § 1, 5/97)

## **ARTICLE II. PARKING GENERALLY. 7**

7. For state law authorizing the town to regulate parking, see W.S. 1977, § 31-5-110.

### **SEC. 13-15. GENERAL PROVISIONS.**

In addition to any specific regulations adopted below, it shall be unlawful to park a motor vehicle or trailer within the City limits of Buffalo:

- a) At any place, time or manner prohibited by the Chief or Police or his designee;
- b) On a sidewalk;
- c) On a parkway, without a properly displayed permit;
- d) In front of public or private driveway or garage entrance on a street or in an alley;
- e) Any boat or trailer of any size must be parked in front of the owner's lot or property;
- f) Within fifteen (15) feet of a fire hydrant;
- g) On a crosswalk; within an intersection;
- h) Within twenty (20) feet of a crosswalk or an intersection, unless otherwise permitted by the City engineer;
- i) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- j) Within twenty (20) feet of the nearest rail of a railroad crossing;
- k) Within twenty (20) feet of the driveway entrance to any fire station;
- l) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

- m) On the roadway side of any vehicle stopped or parked at the edge of the curb of a street (double parked);
- n) In any underpass within the City;
- o) At any place where official regulatory signs prohibit stopping, standing or parking, except as set forth on and in compliance with said regulatory sign;
- p) Adjacent to any portion of an official painted yellow curbline, except where regulated by, and in conformance with, a regulatory sign;
- q) In any manner that is not parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the outside wheels of the vehicle more than eighteen (18) inches from the curb or edge of the roadway, except where marked for diagonal parking, where the vehicle must be parked with the outside front wheel of the vehicle within six (6) inches of the curb or edge of the roadway;
- r) In a manner that allows less than ten (10) feet of width of the roadway for free movement of vehicular traffic;
- s) In a manner that allows less than fifteen (15) feet of the width of the alley for free movement and unobstructed access to public utilities and refuse containers;
- t) Upon any roadway for the principal purpose of displaying such vehicle for sale, washing, greasing or repairing such vehicle except repairs necessitated by an emergency;
- u) Upon any private property, without permission of the owner of said private property;
- v) In a permanent reserved space of any kind, without proper permits and proper display of said permits;
- w) In a handicapped parking space without valid and properly displayed handicapped parking permits, tags or license plates;
- x) In a marked bus stop; and in a publicly owned parking lot in violation of posted limits, restrictions or permit requirements;
- y) It shall be unlawful for any person to remove, erase, deface, obliterate or render unusable for the purpose of enforcement of this chapter or the provisions outlined any chalk mark, marker, or other indicator placed on a vehicle or any portion thereof by an authorized representative of the City for the purpose of measuring the passage of time or the movement of a vehicle stopped, standing or parking on any street, or in any parking lot or structure, or portion thereof. (Ord 1355, 4/2012)

**SEC. 13-15.1. TEMPORARY NO PARKING ZONES.**

The Chief of Police shall be authorized to designate any portion of a public street as temporarily closed to parking by placing appropriate "no parking" signs at such locations, all determined by the Chief of Police, in his discretion, to be in the best interests of the public health, welfare and safety. (Ord. 1124, 6/94)

**SEC. 13-15.2 STREET PARKING FOR SNOW REMOVAL.**

**SNOW REMOVAL CONDITIONS**

- (A) When, in the opinion of the City of Buffalo Public Works Director and the Mayor of the City of Buffalo, the actual or expected precipitation of snow will create hazardous or dangerous roadway conditions for vehicular or pedestrian traffic, the Mayor shall have the authority to declare a snow removal emergency.
- (B) A snow removal emergency shall be declared by the Mayor of the City of Buffalo by issuing a media release to the local radio stations and new media.
- (C) The snow removal condition shall continue in full force and effect until the Mayor declares it to be over by issuing a media release to the local radio stations and news media.

## PARKING RESTRICTIONS DURING SNOW REMOVAL PERIODS

Parking is prohibited from November 1<sup>st</sup> through April 30<sup>th</sup> on the following City streets between the hours 10:00 pm to 6:00 am:

Fort Street, Main Street, Fetterman Street, North DeSmet Street, Hart Street, Hogerson Street, South Burritt Street, Sesame Street and Lobban Avenue between Benteen and Bennet Streets.

These restrictions will remain in force until the snow removal condition has been declared over or the snow has been removed from curb to curb for the entire length of the street.

## REMOVAL AND IMPOUNDMENT OF VEHICLES

The City of Buffalo Police Department is authorized to remove or have removed a vehicle from a City street to the nearest garage or place of safety, including another place on the street if a person should fail to remove his registered vehicle from any street or alley within the City after a 12 hour period after the declaration of a snow removal emergency.(Ord. 1312 / 12, 2/2008)

### **SEC. 13-15.3. MANNER OF PARKING; DIAGONAL AND PARALLEL PARKING DEFINED.**

It shall be unlawful to park any motor vehicle or trailer upon the streets of Buffalo, Wyoming, in any manner except parallel with the curb or edge of the street and headed in the direction of lawful traffic movement. The right side wheels shall be parallel with and within eighteen inches of the curb or edge of the street. In no case shall a vehicle be parked in such a manner so as to encroach upon the regularly traveled portion of the street.

The following exceptions shall be allowed to the above paragraphs:

- a) Parking with the left side wheels parallel to the left curb or the left edge of the street shall be permitted on one-way streets.
- b) Diagonal parking shall be permitted in areas, which meet the following requirements:
  - 1) Approval of the area as a diagonal parking zone by a majority of the City Council, and
  - 2) Appropriately painted spaces or stalls or a sign or set of signs that delineate the area as diagonal parking zone.

In the event that there shall be designated spaces or stalls for parking within the City and such spaces are marked off and designated by stripes at or near the curb with a conspicuous color of paint ordinarily used for this purpose, then all vehicles shall be parked within these spaces. If signs are used, all vehicles shall park within the boundaries set by those signs and according to the instructions on the signs. (Ord. 999, 7/83: R.O. 1319, 1/09)

There shall be no parking of vehicles within twenty feet (20) of any corner at the intersection of two or more streets, nor shall there be any parking of vehicles so as to obstruct vision at intersections, protrude into traffic lanes, or cause any undue safety hazards.

Within the meaning of this section, angle or diagonal parking shall be considered parking the vehicle in such a manner that the right front angle is not less than sixty degrees (60°) and not greater than ninety degrees (90°) to the curb.

There shall be no parking of motor vehicles over a storm sewer drain, which has been painted to designate it as an area where a motor vehicle may not lawfully park. The paint used to indicate said drain will be of a conspicuous color ordinarily used to designate such illegal parking areas. (Ord. 1021, §1, 9/84) (Ord. 1354, 4/2012)

### **SEC/ 13-15.4. HAMPERING SNOW REMOVAL AND STREET CLEANING.**

It shall be unlawful for any owner or operator of a vehicle to allow, cause or permit the vehicle to be parked upon any street in such a manner or at such a time as to hamper or make impossible snow removal or cleaning on said street. Winter storage of vehicles or trailers or any similar vehicle or any kind is prohibited and will be removed at owner's expense. (Ord. 1354, 4/2012)

### **SEC. 13-16. LIMITED PARKING ZONES ESTABLISHED; EFFECTIVE HOURS; SIGNS; VIOLATIONS AND PENALTIES.**

- A. The City Council may, by resolution, establish areas within the City as limited parking zones and designate the limits for parking of vehicles therein.
- B. It shall be unlawful for any person to park or to allow to remain parked any vehicle in a limited parking zone for a continuous period of more than the time permitted therefore during effective hours.

- C. It shall be the duty of the City of Buffalo to post and maintain appropriate signs to notify the public that areas are limited parking zones, and of the effective hours thereof.
- D. Every person convicted under the provisions of this section shall be punished according to the general penalties section of the Code.
- E. It shall be the duty of the Chief of police to enforce this section and to keep adequate records to determine the number of violations committed in each calendar year by the registered owner of any vehicle.
- F. Any vehicle found to be in violation of this section shall be deemed a public nuisance and the police department is hereby authorized to remove, such vehicle, or cause the same to be removed, at the cost and expense of the violator. The police department shall have the power and is hereby authorized to remove the vehicle by either private or governmental equipment as it may deem advisable. The operator shall be fully responsible for any and all costs of towing and storage. (Ord. 999, 7/83; R.O. 1320 – 1/09)
- G. Any violation of this chapter which continues for a period of twenty-four (24) hours or more shall constitute a new and separate distinct violation.
- H. Conviction of abuse or violation of the terms of the various parking permits shall result in revocation of the permit, and the holder of said permit shall be subject to other penalties or remedies. **The City of Buffalo may charge a daily permit fee for special parking permits during term of issuance.**
- I. It shall constitute notice to every person charged with violating this chapter, if the Chief of Police or his/her designee affixes to or deposits in a motor vehicle or trailer, found to be parked in violation of this chapter, a parking ticket indicating thereon that the motor vehicle is parked in violation of this chapter, the street address or location where such violation occurred, the date upon which the same occurred, the license number of such motor vehicle, and notice of time and date the owner of such motor vehicle is to appear at the municipal court of the City to answer to such charge of violation, and the bond amount for the violation. The owner of any motor vehicle who fails to appear at the municipal court at the time fixed in any such notice, shall be formally charged, by complaint and warrant, with violation of this chapter.
- J. In the event that any person receiving any ticket or notice of violation does not desire to appear before the Municipal Court to answer such a charge, he may post a cash bond in the amount of the fine for the violation with the Municipal Court. Such bonds shall be forfeited unless such person shall appear before the Municipal Judge at the time fixed in such notice, and upon forfeiture of such bonds, no further action shall be taken against such violator.
- K. The fact that a motor vehicle which is parked in violation of this chapter is registered in the name of a person shall be prima facie evidence that such person was in control of the automobile at the time of such parking.
- L. In addition to any other penalties or remedies enumerated in this chapter, the Chief of Police or his or her designee may tow, impound and/or immobilize any vehicle that has accumulated five or more unpaid or unadjudicated notices of violation that are thirty or more days past due. For handicapped parking violations, the threshold shall be one or more notices of violations that are thirty (30) or more days past due.
- M. The Chief of Police or his or her designee may tow any vehicle that is parked on the street in the downtown business district during the hours of **2:00 a.m. until 5:00 a.m.**, seven (7) days a week, if it is necessary for said vehicle to be moved to allow city crews to sweep and clean city streets, and perform snow removal and other activities without the interference of parked cars.
- N. The Chief of Police or his or her designee may tow any vehicle parked in violation of this chapter at any time, if said vehicle is obstructing traffic flow, street or utility work, access to public or private property, or in any way jeopardizes the health, safety or welfare of the public. (Ord 1355, 4/2012)

#### **SEC. 13-16.1 EXPIRED OR IMPROPER LICENSE PLATES OR REGISTRATION**

It shall be unlawful for any person to stop, stand or park any vehicle on any street, alley, parking area or other property operated by the City of Buffalo without first having displayed current and proper vehicle license plates and registration thereon provided by Wyoming Statute §31-2-201 et seq. (Ord. 1313, § 12, 2/2008)

#### **SEC. 13-16.2 STREET PARKING AND STREET STORAGE**

- A. The following definitions shall apply to this section:
  1. "Block Face" means a portion of a street or highway between two intersections, including all on-street parking along both sides of the street or highway within such boundaries.
  2. "Operator" means every individual who operates a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle.
  3. "Parked" means the standing of a vehicle, whether occupied or not, upon a street otherwise that temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers, or loading or unloading merchandise, or in obedience to traffic regulations, signs or signals, or any involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

4. "Street" means any public street, avenue, road, alley, highway, lane path or other public place located in the City and established for the use of vehicles.
  5. "Vehicle" means any device in, upon and by which any person or property is, or may be transported or drawn upon a highway or street.
- B. It shall be unlawful for any operator to permit a vehicle to remain parked for a continuous period of more than seventy-two (72) hours on any city street. It shall not constitute a violation of this section if said vehicle is legally parked abutting within the boundaries of the vehicle owners' property except during snow removal months, then permitting a vehicle to remain parked for a continuous period of more than seventy-two (72) hours is prohibited from November 1<sup>st</sup> through April 30<sup>th</sup>.
- C. It shall be unlawful for any person to allow, cause or allow to be stored any motor home, trailer or any similar vehicle on any city street for a period exceeding seventy-two (72) hours **unless a temporary permit is obtained from the City of Buffalo, the Chief of Police or his assignee. The City of Buffalo may charge a daily permit fee during the issuance of such temporary permit.** Moving such a vehicle from one location to another shall not exclude a violation of this section nor toll the seventy-two (72) hour limit if both locations are on a city street. (Ord 1355, 4/2012)

When notice has been duly issued, by placing it prominently upon the vehicle where it may be readily detected, to remove such vehicle or trailer and if there is a failure to do so within 24 hours thereafter, such vehicle shall be deemed a nuisance and subject to removal by the City Police and impounded in a place of safe keeping. All costs for towing and storage shall be the responsibility of the vehicle owner and shall be paid in full before such vehicle is released to the owner/operator. (Ord. 1310 § 12, 16/2008)

#### **SEC. 13-17. RESTRICTED PARKING OF PETROLEUM OR EXPLOSIVE TRUCKS, ETC. 8**

It shall be unlawful for any person, whether residing in or away from the City of Buffalo, to park on or adjacent to any street, avenue, thoroughfare or alley in the City of Buffalo, any truck, transport, trailer or any vehicle whatsoever, whether motor-propelled or otherwise, and whether loaded or empty, used in conveyance or transportation of petroleum, butane, propane, octane, ligroin, gasoline or powder, trinitrotoluene, commonly called TNT, dynamite or

any other combustible, explosive or inflammable fluid or compound of any kind or character, except while making deliveries in the regular course of business or trade, or in the event of a breakdown or other unavoidable emergency; provided, that while making deliveries as foresaid, or in the event of a breakdown or unavoidable emergency, such vehicle shall at all times be attended by a responsible person in charge, and shall not take longer than is reasonably necessary in making such deliveries, or fixing the breakdown, or overcoming an unavoidable emergency.

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Nothing contained in this section shall prohibit any truck, transport, trailer or other vehicle from parking unattended within the City of Buffalo at some safe place specially designated by the Chief of Police for a period not longer than twenty-four hours, where explosion or fire caused by such parked vehicle can do no harm to persons or property within the City of Buffalo. (R.O. 1955, § 31-37, 31-38)

8. For State law authorizing the town to regulate, restrain or prohibit the transportation of inflammables and explosives, see W.S. 1977, 15-1-103 (xxvi)

#### **SEC. 13-17.1 PARKING OF LARGE TRUCKS AND SEMI-TRAILERS.**

A. The Following definitions shall apply to this section:

1. "Semi-trailer" means every vehicle with or without motive power, designed for carrying persons or property, and for being drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle;
2. "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and does specifically include, but is not limited to, tractors used to pull mobile home, semi-trailers and road tractors;
3. "Vehicle" means any device in, upon or by which any person or property is, or may be transported or drawn upon a highway or street.

- B. Subject to the temporary exemption provided in Subsection C below, no operator shall park any commercial vehicle which is longer than 20 feet in length, or wider than 8 feet in width, or any truck tractor or semi-trailer, upon any street or alley in the City of Buffalo excepting in those areas designated as business or industrial according to Chapter 29 of the Code of the Town of the City of Buffalo, except when such commercial vehicles, truck tractors or semi-trailers are in the process of loading or unloading at the site of origin or delivery shipments.
- C. This Ordinance shall not apply to active construction sites within residential areas described by Chapter 29 of the Code of the Town of the City of Buffalo, so long as the operator secures a parking permit from the City of Buffalo authorizing parking of a commercial vehicle, semi-trailer, or truck tractor on a street or alley within the residential zones described in Chapter 29. Parking permits shall be available at City Hall, 46 North Main Street, Buffalo, Wyoming, during regular business hours. (Ord. 1311/ 12, 2/2008)

**SEC. 13-18. PARKING NEAR FIRE HYDRANTS.**

It shall be unlawful for any person to park any vehicle within fifteen (15) feet in any direction from any fire hydrant within the City of Buffalo. (R.O. 1955, § 31-18)

**SEC. 13-18.1. DESIGNATED PARKING SPACE FOR HANDICAPPED.**

No person shall park, load, unload, or stand in any parking space designated for handicapped persons on public or private property unless that person is handicapped or unless the handicapped person is a passenger in the vehicle and unless the vehicle has a Wyoming portable-type handicap logo displayed on the dashboard on the side nearest to the roadside or suspended from the rearview mirror inside the vehicle. The City is authorized to honor handicap stickers issued by other agencies, which have the same or similar qualifications by the Wyoming Department of Revenue. (Ord. 1100, § 1, 7/92)

**SEC. 13-18.2. OBSTRUCTION OF HANDICAPPED PARKING SPACES.**

At no time shall handicapped spaces on public or private property be used for storage of snow, trash, shopping carts, construction materials, or otherwise obstructed except when provisions have been made of additional, equally accessible, temporary handicapped parking spaces at least equal in number to the obstructed spaces. (Ord. 1100, § 2, 7/92)

**SEC. 13-18.3. REQUIREMENT OF HANDICAPPED PARKING.**

A) If parking spaces are provided for visitors or customers, except for private residences, handicapped only spaces shall be provided in the following ratio:

- I) 10-50 spaces: 1 handicapped space
- II) 51-100 spaces: 2 handicapped spaces
- III) Greater than 100 spaces: 2 + 1% of total spaces over 100 handicapped spaces

B) All fractions in the ratios designated in subsection (A) shall be rounded up.

C) All designated parking spaces shall be marked with a sign mounted on a substantial post or standard permanently fixed to or imbedded into the parking surface with the international symbol of accessibility, and the words "Handicapped Parking Only" or "Reserved Parking Only."

D) All designated handicapped parking spaces shall be a minimum of twelve feet (12') by twenty feet (20') in size except for those in parallel parking areas of the City streets, the size of which shall be determined by the Police Chief.

E) All designated handicapped parking spaces shall be those parking spaces located nearest the main entrance of the building(s) served by the parking area.

F) In the event that a designated handicapped space is regularly occupied by (an) employee(s) in a parking area used by the public, additional designated handicapped spaces shall be provided in a number equal to the number of spaces occupied by employee(s). (Ord. 1100, § 4, 3/92)(R.O. 1355, 4/2012)

**SEC. 13-18.4. HANDICAPPED PARKING PENALTIES.**

Any person found guilty of violating Sections 13-18.1 through 13-18.3 of the Code of the City of Buffalo shall be fined not more than twenty-five dollars (\$25.00). (Ord. 1100, § 4, 7/92)

### ARTICLE III. PARKING METERS.

#### SEC. 13-19. DEFINITIONS.

For the purpose of this article, the following words and phrases shall have the meanings, respectively, ascribed to them by this section:

Two Hour Parking Zone: A certain and marked off section of the street where a vehicle may be parked for not more than two hours.

Street: Every way set apart for public travel, except alleyways and footpaths.

Vehicle: Any device by which any person or property may be transported upon a public highway, except those operated upon rails and permanent tracks. (R.O. 1955, § 31-40)

#### SEC. 13-20. ZONES ESTABLISHED; DESCRIPTION.

Two hour parking zones as defined in section 13-19 are hereby created on the following streets of the City of Buffalo; both sides of Main Street between the point where Bennett Street intersects Main Street south of the U.S. Post Office; thence north to Benteen Street opposite the Hersey Apartments. Also, on both sides of Angus Street from its intersection with Main Street; thence west to the first alley running north and south. Also, along Fetterman Street, on both banks of Clear Creek, from the intersection of such street with Main Street; thence east of the first alley running north and south, and from time to time hereafter as traffic conditions require on such streets and avenues and other streets and avenues, or such other locations as selected by resolution of the Council for the location of such zones. (R.O. 1955, § 31-41) (Ord. 999, 7/83)

#### SEC. 13-21. ZONES ESTABLISHED; TIME.

Two hour parking zones as defined in Section 13-19 will be in effect only between the hours of 8:30 a.m. to 5:30 p.m. Two hour parking zones shall not be in effect on Sundays and Holidays. (Ord. 999, 7/83)

#### SEC. 13-22. CONTRACTS FOR PURCHASE; PAYMENT FROM RECEIPTS.

The Mayor is hereby authorized to carry out the terms of any contracts heretofore or hereafter entered into by the Council for the purchase, leasing, acquiring, installation, operation, maintenance, supervision, regulation and use of the parking meters provided for in this article, whether for trial period or otherwise. The payment for such parking meters and installation shall be provided for solely from the receipts, funds and revenues obtained from the operation of the parking meters without in any manner obligating the City of Buffalo to pay for the same from any other source. (R.O. 1955, § 31-43)

#### SEC. 13-23. VIOLATIONS.

It shall be unlawful and a violation of this ordinance for any operator or owner of a vehicle to allow, cause, or permit the vehicle to park in a two hour parking zone for a period longer than two hours. (Ord. 999, 7/83)

#### SEC. 13-24. DUTIES OF POLICE IN CASE OF VIOLATION; RIGHT OF VIOLATING OPERATOR.

It shall be the duty of the police officers of the City of Buffalo, acting in accordance with instructions issued by the Chief of Police, to report:

- a) Location of the vehicle in violation of Section 13-23.
- b) The state license number of such vehicle.
- c) The time such vehicle is parking in violation of any of the provisions of this article.
- d) Any other facts, or knowledge, which are necessary to a thorough understanding of the circumstances attending such violation.

Each such police officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of any provisions of this article and instructing such owner or operator to report to the police station of the City of Buffalo in regard to such violation. (Ord. 999, 7/83)

#### SEC. 13-25. PENALTY.

a) Any person who shall violate any of the provisions of Section 13-23 shall, upon conviction thereof by the Municipal Court, be subject to a fine of five dollars (\$5.00).

b) A subsequent violation of Section 13-23 that occurs not more than twenty-four hours after the first violation shall subject the owner or operator of the vehicle to a fine of ten dollars (\$10.00). (Ord. 999, 7/83)

**SEC. 13-26. TIME ALLOWED FOR COIN DEPOSITED; OVERTIME PARKING.**

Section 13-26 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**SEC. 13-27. UNLAWFUL TO TAMPER WITH, INJURE, DEFACE OR DESTROY METER.**

Section 13-27 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**SEC. 13-28. UNLAWFUL TO DEPOSIT SLUGS OR OTHER SUBSTITUTES FOR U.S. COINS.**

Section 13-28 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**SEC. 13-29. PURPOSE OF PARKING FEES.**

Section 13-29 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**SEC. 13-30. COLLECTORS; PARKING METER FUND.**

Section 13-30 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**SEC. 13-31. DUTIES OF POLICE IN CASE OF VIOLATIONS; RIGHT OF VIOLATING OPERATOR.**

Section 13-31 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**SEC. 13-32. PENALTY GENERALLY.**

Section 13-32 of the Buffalo City Code, 1964, is hereby repealed. (Ord. 999, 7/83)

**ARTICLE IV. BICYCLES.<sup>1</sup>**

1. For state law as to bicycles, see W.S. 1977, § 31-5-701.

**SEC. 13-33. UNLAWFUL TO RIDE BICYCLE ON SIDEWALKS.**

It shall be unlawful for any person to ride a bicycle upon any of the sidewalks within the corporate limits of the City of Buffalo, except at proper sidewalk crossings. (R.O. 1955, § 31-1)

**SEC. 13-34. RIDING MORE THAN TWO ABREAST.**

No person shall ride or propel a bicycle upon any street or other public highway in the City of Buffalo abreast of more than one other person riding or propelling a bicycle. (R.O. 1955, § 13-7)

**SEC. 13-35. SPEED LIMIT; RECKLESS DRIVING.**

No bicycle shall be riding faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard to the safety of the operator and any person upon the sidewalks, streets and other public highways of the City. (R.O. 1955, § 31-4)

**ARTICLE V. MOTORCYCLES.**

**SEC. 13-36. DEFINITIONS.**

Motorcycle: Every motor vehicle having a seat or saddle for the use of the rider designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor and completely self-propelled vehicles, and excluding golf carts. (Ord. 1010, 9/83)

**SEC. 13-37. OPERATION OF MOTORCYCLES, MOTOR DRIVEN CYCLES, AND MOPEDS.**

a) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto and shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

b) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward.

c) No person shall operate a motorcycle while carrying any package, bundle or other article, which prevents him from keeping both hands on the handlebars, or obstructs his vision, or interferes with the safe operation of the motorcycle.

d) No operator shall carry any person, nor shall any person ride in a position that will interfere with the safe operation or control of the motorcycle or the view of the operator.

e) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two (2) abreast in a single lane.

f) The operator of a motorcycle shall not overtake and pass any vehicle except a single motorcycle in the same lane occupied by the vehicle being overtaken.

g) No person shall operate a motorcycle between the lanes of traffic, or between adjacent lines or rows of vehicles.

h) Paragraphs (F) and (G) shall not apply to police officers in the performance of their official duties.

i) Motorcycles shall not be operated more than two (2) abreast in a single lane.

j) No person riding upon a motorcycle shall attach himself or the motorcycle to any other moving vehicle on a roadway.

k) Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for the passenger.

l) No person shall operate any motorcycle with handlebars more than fifteen inches (15") in height above that portion of the seat occupied by the operator.

m) No minor shall operate or ride, nor shall the operator permit a minor to ride, upon a motorcycle unless he is wearing protective headgear securely fastened on his head, and of a type which complies with standards established by the Wyoming Highway Commission. This subsection shall not apply to persons riding within an enclosed cab nor to persons operating or riding a moped. This subsection shall only apply to motorcycles used on public highways, streets and thoroughfares.

n) Any person operating a motorcycle or pedestrian vehicle shall have the headlamps of the motorcycle or pedestrian vehicle activated at all times, including daylight hours.

o) Operators of motorcycles operating in an officially authorized parade shall be exempt from subsections (E) through (M). (Ord. 1010, 9/83)

**SEC. 13-38. SAME – REQUIRED DISTANCE FROM OTHER MOTORCYCLES.**

Section 13-38 of the Code of the City of Buffalo, Wyoming, is hereby repealed. (Ord. 1010, 9/83)

**SEC. 13-39. SAME – PROTECTIVE HELMET OR OTHER EQUIPMENT REQUIRED.**

Section 13-39 of the Code of the City of Buffalo, Wyoming, is hereby repealed. (Ord. 1010, 9/83)  
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**SEC. 13-40. PENALTY FOR VIOLATION OF ARTICLE.**

Any person who violates any section of this article shall, upon conviction, be fined not more than one hundred dollars (\$100.00). (Ord. 678, § 5)

**SEC. 13-41. OPERATION OF MOTORIZED SNOW MACHINES.**

It shall be unlawful for any person to operate a snow machine or snowmobile on any public street, alley, sidewalk or other municipal property within the municipal limits of the Town of the City of Buffalo, Wyoming, except in the following situations:

a) When loading or unloading a snowmobile onto or from a trailer or other means of conveyance.

b) During an emergency situation, to be determined by the Mayor or his duly authorized representative. (Ord. 1016, 1/84)

**SEC. 13-42. PENALTY FOR VIOLATION OF ARTICLE.**

Any person convicted of a violation of the provisions of this Ordinance shall be punished by a fine of not more than two hundred dollars (\$200.00). (Ord. 1016, 1/84)

