

## Ordinance No. 6

AN ORDINANCE relating to and regulating traffic, travel and transportation and their incidents upon the streets and other ways open to the public; prescribing the powers and duties of officers and others in relation thereto; defining offenses and providing penalties.

BE IT ORDAINED by the Council of the Town of Gig Harbor:

### ARTICLE I

#### General Provisions

Section 1. This ordinance shall constitute the "Traffic Code" of the Town of Gig Harbor and may be cited as such.

Section 2. This code shall be deemed an exercise of the police power of the Town of Gig Harbor and of the State of Washington for the preservation and protection of the public health, safety, morals and economic welfare, and all of its provisions shall be liberally construed for the accomplishments of that purpose.

Section 3. If any provision of this code or the application thereof to any person or circumstances is held invalid, the remainder of the code and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 4. Wherever, consistent with the context of this code, words in the present, past or future tenses shall be construed to be interchangeable with and to include such respective other tenses; and words in the masculine, feminine or neuter genders shall be construed to be interchangeable with and to include such respective other genders; and words in the singular number shall be construed to include the plural, and in the plural to include the singular, and each shall be construed to be interchangeable with the other.

Section 5. No person shall make a false statement or representation in any application, statement or report required by this code to be made.

### ARTICLE II

#### Definitions

Section 6. In construing the provisions of this code, save when otherwise plainly declared or clearly apparent from the context, the following definitions shall be applied:

**Arterial Highway:** An arterial main traveled highway designated as such according to law and indicated by sign posts or other markers directing the stopping of vehicles before entering thereon.

**Authorized Emergency Vehicles:** Vehicles of the Fire Department and of Pierce County Fire Prevention District No. 5, Police vehicles, ambulances and such emergency vehicles of the United States Government, municipal departments (State, County or City), and public service corporations as are designated or authorized by the Town Marshall in writing filed with the Town Clerk.

**Auto Stages or Stage:** A motor vehicle used for the carriage of passengers, baggage and/or freight for hire on a regular schedule of time and rates, except such a motor vehicle

traveling a route wholly within the corporate limits of the Town of Gig Harbor.

**Cross Walk:** That portion of a roadway ordinarily included within the prolongation of curb and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings.

**Curb:** The boundary of that portion of the street open to the public for the use of vehicles.

**Danger Zone:** That portion of a street, the use of which is prohibited or specially regulated or restricted on account of dangerous conditions and which is marked by signs or buttons.

**Driver:** The rider, driver or leader of any animal, or any person who pushes, draws, propels, operates or is in actual physical control of a vehicle.

**Intersection:** The area embraced with the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two streets which join one another at approximately right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

**Motor Truck or Truck:** Every motor vehicle designed or used: (1) for the transportation of commodities, merchandise, produce, freight or animals; (2) for drawing or pulling one or more independent vehicles or trailers in the transportation of commodities, merchandise, produce, freight or animals upon a street or highway.

**Motor Vehicle:** Every vehicle as herein defined which is self-propelled.

**Muffler:** A series of pipes or chambers properly proportioned to allow the exhaust of gases of an internal combustion motor to expand and cool to a degree of noiseless expulsion.

**Official Traffic Signs:** All signs, markings and devices other than signals, not inconsistent with this code, placed or erected pursuant to law for the purpose of guiding, directing, warning or regulating traffic.

**Official Traffic Signals:** All signals not inconsistent with this code, placed or erected pursuant to law for the purpose of directing, warning or regulating traffic.

**Operator:** Any person who is in actual physical control of a vehicle.

**Owner:** A person in whom is vested the legal title to a vehicle, or who, not having such title, is vested with the right to possession under the terms of a contract of sale or under the terms of a lease, or otherwise, for a period exceeding thirty (30) days.

**Park:** The standing of a vehicle, whether occupied or not, parallel or substantially parallel with the curb or margin of the street, otherwise than temporarily to avoid traffic conflict or in obedience to traffic regulations.

**Park at an Angle or Angle Park:** The standing of a vehicle whether occupied or not, facing in the direction of traffic, at an angle of approximately forty-five (45°) degrees, to the curb or margin of the street, otherwise than temporarily to avoid traffic conflict or in obedience to traffic regulations.

**Peace Officers:** Any officer authorized by law to execute criminal process

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or to make arrest for the violation of the laws generally or of any laws relating to the public highways.

**Pedestrian:** Any person afoot.

**Person:** Persons of either sex, firms, co-partnerships, corporations and other associations of natural persons whether acting by themselves or by servants, agents or employees.

**Private Highway, Road, Street, Way or Driveway:** Every road or driveway not open to use of the public for purposes of vehicular travel.

**Right of Way:** The privilege of the immediate use of the street or highway.

**Roadway:** That portion of a street or highway between the regularly established curb lines, or if none, that part devoted to vehicular traffic.

**Stand:** That portion of a street set aside and properly marked as a place where vehicles used for the carriage of freight, baggage, merchandise or passengers for hire may lawfully park or angle park while awaiting employment.

**Street:** All or any portion of the public highways and other places in the Town open to the public for travel with the exception of alleys.

**Tank Trucks:** Any automobile, truck or other vehicle used for the transportation of flammable or other liquids through the public streets, and which for such purpose is provided with a tank maintained on the frame or chassis of such truck or vehicle.

**Towing:** The drawing or pulling of any vehicle by another vehicle in front thereof, by means of cable, rope, wire, or other flexible attachment.

**Traffic:** Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances, either singly or together, while using any street for purpose of travel.

**Traffic Control Signal:** Any device using colored lights or words, or any combination thereof, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.

**Trailer:** Any vehicle without motive power which is designated to be or is attached to another vehicle for the purpose of being drawn or propelled by such other vehicle.

**Semi-Trailer:** A trailer type vehicle so designed or used that a portion of its weight or load rests upon or is carried by another vehicle.

**Vehicle:** Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, including bicycles, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

### ARTICLE III

#### Authority of Officers Observance of Regulations

Section 7. Except as otherwise herein provided, it shall be the duty of the Police Department to enforce this provisions of this code.

Officers of the Police Department are hereby authorized to direct all traffic, either in person or by means of visible or audible signal, in conformance with the provisions of this code, provided that where necessary to expedite traffic, or to prevent or eliminate congestion, or to safeguard pedestrians,

such officers, or in the event of a fire or other emergency, such officers and officers of the Fire Department and of Pierce County Fire Prevention District No. 5 may direct traffic as conditions may require, notwithstanding the provisions of this code.

At street intersections where necessary in order to prevent congestion of traffic, the Town Marshall is hereby authorized and directed to prescribe the direction and limit the flow of traffics past such intersections.

Section 8. The School System in conjunction with the State Patrol may appoint from the student bodies of public and private schools in the Town, special policemen who shall be designated as "School Patrol." They shall be equipped with badges marked "School Patrol," and are hereby authorized to direct traffic at school crossings only. They shall be subordinate to, and obey all orders of, any police officer of the Town.

No driver of any vehicle shall fail to stop his vehicle when directed so to do by any "School Patrol" officer, and no such driver shall again place such vehicle in motion until directed so to do by such "School Patrol" officer.

Section 9. It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer, made or given in the performance of his duty in directing traffic, or to resist any police officer while enforcing any of the provisions of this ordinance.

Section 10. The provisions of this code shall apply to the operator of any vehicle owned by or used in the service of the United States government, or of this State, or of any political subdivision thereof.

Section 11. The provisions of this code regulating the movement, parking and angle-parking of vehicles shall not apply to authorized emergency vehicles as defined in this code while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

Section 12. Every person propelling any push cart or riding a bicycle or any animal upon the roadway, and every person driving any animal, shall be subject to the provisions of this code applicable to the operator of a vehicle, except those provisions with reference to the equipment of vehicles and those which by their very nature can have no application.

### ARTICLE IV

#### Traffic Slips

Section 13. Whenever any person is arrested for violating any provision of this code, the arresting officer shall take his name, address, operator's license number, and number of registration of any vehicle involved, and may take such person direct to the Town Marshall for booking, or in his discretion issue to him on a form provided by the Town Marshall, a notice in writing to appear to answer to the charge placed against him within twenty-four (24) hours at a time and place

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therein specified, to be signed and assented to by the one arrested, and bail as directed by the Police Judge shall be deposited to guarantee such appearance.

Whenever any motor vehicle without an operator is found parked or angle parked in violation of this code, the Officer who so finds it shall take its registration number and any other information tending to identify the owner thereof, and affix in a conspicuous place thereon a notice in writing on a form provided by the Town Marshall, for the operator to answer to the charge as shown thereon, within twenty-four (24) hours, at a time and place therein specified.

Any person who violates either his written promise to appear or the above provided notice to appear and answer the charge made against him, shall be guilty of a violation of this code, regardless of the charge for which such notice was originally issued.

#### ARTICLE V

##### Traffic Signs and Signals

Section 14. Establishment of zones. For the protection of and in the public interest, to prevent traffic congestion or danger and to maintain the most efficient use of the highways, the Town Council shall, by resolution:

Adopt existing and establish additional danger zones, safety zones, bus zones, loading zones, traffic lanes, school zones and crossings, and mark crosswalks, from time to time, and adopt the use of signs, painted lines or other means to give notice of such.

Section 15. It shall be unlawful for any person to disobey the instructions of any official traffic sign, traffic signal or marks upon the street placed in accordance with the provisions of this code, unless otherwise directed by a police officer.

Section 16. No person shall disregard warning signals or barriers lawfully placed in a street, nor the warning signal of a flagman stationed near a railroad crossing or other dangerous place or where workmen are employed upon the street.

Section 17. It shall be unlawful to move, deface, injure, mutilate, obstruct or destroy any public traffic sign, signboard, guide-post, barrier, or any official traffic sign or signal, or to remove or disturb any light placed upon a disabled vehicle, or on, at, or near any obstruction or defect in street.

#### ARTICLE VI

##### Pedestrians' Rights and Duties

Section 18. The operator of any vehicle shall yield the right of way to a pedestrian within any unmarked crosswalk at the end of a block, or within any marked crosswalk.

No operator or driver of a vehicle shall drive or operate such vehicle into a crosswalk designated and marked as a school crossing when there is in said crosswalk any pedestrian engaged in crossing the street.

Section 19. Every pedestrian shall yield the right of way to vehicles upon the roadway at any point other than within a marked or unmarked crosswalk or other place specifically provided for pedestrians; provided, however, that this provision shall not relieve the operator of a vehicle from the duty to exercise due care for the

safety of pedestrians.

Section 20. Where sidewalks have been provided in the streets, pedestrians shall travel on and along such sidewalks, and where no sidewalks have been provided, pedestrians traveling on the roadway shall travel on the left side of the same, and upon meeting an oncoming vehicle shall step off the paved or main traveled portion thereof.

Section 21. It shall be unlawful for any person to stop or loiter or to peddle or sell merchandise or publications on a street crossing or public place or at any point on a street so as to interfere with or obstruct traffic or travel, or for any person to congregate or to wilfully cause persons to congregate in any street in such a manner as to interfere with or obstruct traffic or travel or when so congregated to refuse to disperse upon being requested so to do by any police officer.

#### ARTICLE VII

##### Operation of Vehicle

Section 22. It shall be unlawful for any person while under the influence of or affected by the use of intoxicating liquor or any narcotic drug to operate a vehicle upon the streets or other places open to the public for travel.

Section 23. It shall be unlawful to drive a vehicle in a reckless manner upon the streets or other places open to the public for travel. For the purpose of this section, to drive in a reckless manner shall be construed to mean and include:

The operation of a vehicle carelessly and heedlessly in wilful or wanton disregard for the rights or safety of others or without due caution and circumspection, and at a speed and in such a manner as to endanger or to be likely to endanger any person or property.

The operation of a vehicle in such a manner as to endanger or inconvenience unnecessarily the users of the streets.

The failure of the operator of any motor vehicle to exercise due care and caution in compliance with all traffic laws and requirements in passing a school house on school days between 8:00 a. m. and 5:00 p. m., shall be prima facie evidence of reckless driving.

Section 24. It shall be unlawful for any person to operate a motor vehicle in a negligent manner over and along the public highways, streets or other places open to the public for travel. For the purpose of this section, to "operate in a negligent manner," shall be construed to mean the operation of a vehicle upon the public highways, streets or other places open to travel, in such manner as to endanger or be likely to endanger any persons or property.

The offense of operating a vehicle in a negligent manner shall be construed a lesser offense than, but included in the offense of operating a vehicle in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be convicted of the lesser offense of operating a vehicle in a negligent manner.

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Section 25. Drivers shall proceed upon the right half of the street and as closely as practicable to the right hand edge or curb of the roadway except when overtaking and passing another vehicle in accordance with the limitations applicable to overtaking and passing.

Section 26. Every driver shall drive or operate the vehicle of which he is in charge so as to keep a safe distance between the front end of his vehicle and the rear of the vehicle immediately preceding him.

Section 27. Every person operating or driving a vehicle of any character upon a public street or alley, shall drive the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of the traffic, condition of brakes, weight of vehicle, grade and width of roadway, condition of surface and freedom of obstruction in view ahead, and so as not to unduly or unreasonably endanger the life, limb, property or other rights of any person entitled to the use of the street or alley, or of any child or children of immature years upon or adjacent to the same, and in no event at a speed greater than twenty-five (25) miles per hour.

Subject to the above provisions of this section and except in those instances where a lower or higher speed is specified in this code, it shall be lawful for the driver of a vehicle to drive the same at a speed not exceeding the following:

Twenty (20) miles per hour: In traversing an intersection when the driver's view is obstructed, except on arterial highways and at intersections controlled by traffic signals when such signals are in operation. A driver's view shall be deemed to be obstructed when at any time during the last one hundred (100) feet of his approach to an intersection he does not have a clear and uninterrupted view of such intersection and of all public highways entering such intersection for a distance of one hundred (100) feet along the center line thereof, and when passing any school house on school days between the hours of 8:00 A. M. and 5:00 P. M., or school or public playground on any days between said hours.

Twenty-five (25) miles per hour: Throughout the Town, except as otherwise limited by this code.

The speed limits set forth in this code shall not apply to authorized emergency vehicles when operated in emergencies and the drivers thereof sound audible signal by bell, siren or exhaust whistle, or to members of the Town Fire Department or of the Pierce County Fire Prevention District No. 5 operating an automobile bearing an official Fire Department identification plate, when answering an alarm or emergency call. This provision shall not relieve the driver of such a vehicle from the duty to drive with due regard for the safety of all persons using the street nor shall it protect him from the consequences of a reckless disregard of the safety of others.

Section 28. It shall be unlawful for

any person to drive unnecessarily at such a slow speed as to impede or block the normal and reasonable movement of traffic.

Section 29. It shall be the duty of every person using the streets and alleys for vehicular traffic to observe the "rules of the road" as hereinafter prescribed.

Vehicles proceeding in opposite directions shall pass to the right of each other and of the center of the street except when otherwise directed by painted directional lines.

A vehicle overtaking another vehicle going in the same direction shall pass to the left of the vehicle so overtaken and shall not pull to the right until so far ahead as not to interfere with the progress of the overtaken vehicle; but in so passing, such vehicle shall not pass to the left of the center of the street unless the way ahead is free of approaching traffic.

The overtaking vehicle shall maintain its speed until clear of the vehicle overtaken, and the vehicle being overtaken shall keep to the right and shall not increase its speed while being passed.

The signal of an intention to pass an overtaken vehicle shall be given by one blast of the horn or other signalling device.

It shall be unlawful for the operator of a vehicle to pass any overtaken moving vehicle or animal near the crest of a hill or on a curve or at any point unless such operator has while so passing a clear view of the roadway ahead of not less than eight hundred (800) feet, or to pass, except upon arterial highways, any overtaken vehicle proceeding across an intersecting street.

It shall be unlawful for the driver of any vehicle when in line of traffic during congestion to overtake and pass another vehicle unless able to immediately regain a position within such line of traffic.

Section 30. The driver of any vehicle and the rider of any animal or bicycle before starting, stopping, or turning said vehicle, animal or bicycle from its line of travel, shall indicate his intention so to do by giving timely signal on the left side as follows:

Left Turn—Extension of the arm or mechanical signal to the left in a horizontal position.

Right Turn—Extension of the arm or mechanical signal outward and upward.

Stop—Extension of the arm, or mechanical signal outward and downward.

Standing Vehicles About to Leave the Curb—If angle-parked, give a signal by blast of the horn; if parked, give signal for left turn.

Section 31. It shall be unlawful to drive a vehicle across or to turn about in the opposite direction upon any street at any place other than at a street intersection or street end, except a vehicle upon a proper signal being given may turn to the left across any street for the purpose of entering a private driveway or alley only, but in so doing, however, such vehicle shall exercise extreme caution and yield the right of way to other vehicles continuing.

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ing in either direction on said street.

Section 32. The operator of a vehicle intending to turn to the right at an intersection or into an alley or driveway, shall from a point at least one hundred (100) feet from said intersection, approach the point of turning in the traffic lane nearest the right hand edge or curb of the roadway, and in turning shall keep as close as practicable to the right hand curb or edge.

The operator of a vehicle intending to turn to the left at an intersection, shall, from a point at least one hundred (100) feet from said intersection, approach the point of turning in the traffic lane to the right of and next to the center of the roadway, or other marked left turn lane, and unless otherwise directed by "turning markers," he shall, in turning left, pass to the right of the center of the intersection.

Section 33. Vehicles shall have the right of way over pedestrians between street intersection and crossings.

Drivers when approaching street intersections shall look out for and give right of way to vehicle on their right simultaneously approaching a given point within the intersection, and whether such vehicle first enter and reach the intersection or not. Provided, this subdivision shall not apply to drivers on arterial highways, except where two arterial highways intersect each other.

The driver of a vehicle within an intersection intending to turn to the left shall yield to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver having so yielded and having given a signal when and as required by law may make such left turn, and other vehicles approaching the intersection from said opposite direction shall yield to the driver making the left turn.

A driver already upon a street shall have the right of way over a driver entering at a point other than a street intersection, and it shall be the duty of such driver to yield the right of way to the driver already upon the street; provided, that this subdivision shall not apply to vehicles or apparatus of the Fire Department, Pierce County Fire Prevention District No. 5 and Town Police Department.

In the order named, the following vehicles shall have the right of way over all other traffic: Vehicles and apparatus of the Fire Department and of Pierce County Fire Prevention District No. 5; vehicles of the Police Department, and ambulances, and repair vehicles of public service companies and of the Town of Gig Harbor when responding to emergency calls.

Section 34. The driver of any vehicle entering upon an arterial highway from a public or private highway, road, street, alley, way or driveway, shall yield the right of way to vehicles on such arterial highway, and shall come to a full stop thereat when and where signs, posts or other markers so direct or indicate; subject, however, to the direction of any traffic control sign or signal or any police officer directing traffic thereat.

The driver of a vehicle approaching

the intersection of two arterial highways shall stop such vehicle where a sign or other markers so direct or indicate before entering such intersection.

Whenever vehicular travel at an intersection is unusually dangerous, it shall be the duty of all persons driving any vehicle to bring such vehicle to a complete stop before entering such intersection when and where signs, posts or other markers so direct or indicate.

Section 35. Rosedale Street (formerly Carrs Inlet County Road) and Harbor View Avenue (formerly Wickersham County Road, Burnham-Hunt County Road and Front Street) are hereby declared to be and made Arterial Highways, and it shall be the duty of all persons driving or operating any vehicle, when approaching said Arterial Highways, or any other street or streets at any time hereafter designated by resolution of the Council of the Town of Gig Harbor as such Arterial Highway or Highways, to bring such vehicles to a complete stop at the point of intersection.

It shall be the duty of the Town Marshal to erect and maintain sign boards on the right hand side of all streets approaching said Arterial Highways at the outer crosswalk line of such Arterial Highway where a stop is herein required, on which shall be painted the word, "STOP."

Section 36. No vehicle shall back into or out of an alley except when same is obstructed making forward motion impractical.

It shall be unlawful for the operator of a vehicle to emerge from any alley, driveway, building exit, private way, private property, or from the roadway of any private highway onto the roadway of any public highway, or across the sidewalk, or onto the sidewalk area extending across any such alley, driveway, building exit, private way or private property, without bringing such vehicle to a full stop and yielding the right of way to all pedestrians upon such sidewalk and all vehicles upon such public way.

Section 37. No person shall drive a vehicle on or across any sidewalk or sidewalk area or parking strip except at a permanent or temporary driveway, nor shall any vehicle be parked on any parking strip, except Town machinery used in maintenance work.

Section 38. Upon the approach of any authorized emergency vehicle giving audible signal by bell, siren or exhaust whistle, or at point where fire signals are located, when the alarm sounds or fire signals are given, or when traffic control signals displays a red light on all sides, all operators of other vehicles within sight or hearing thereof, except firemen answering a fire alarm, shall immediately drive such vehicles to a position as near as possible, and parallel to the right hand edge or curb of the roadway, clear of any intersection, and shall stop and remain in such a position until the emergency vehicle shall have passed or until the fire alarm signals have ceased, unless otherwise directed by a police officer.

It shall be unlawful for any person operating a motor vehicle in either direction upon a street within the

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Town, to fail to bring such vehicle to a complete stop at least twenty (20) feet away and on the approach to any school bus on the roadway or off the roadway which is displaying a stop signal, and remain standing until the same is released.

No person operating a vehicle when overtaking any bus or other passenger carrier that has stopped at any point for the receiving or discharging of passengers shall pass to the right of same unless and until all awaiting passengers have been received or all alighting passengers have been discharged and have had an opportunity to proceed beyond the limits of the street.

Section 39. No operator of a vehicle shall back or operate the same backward or in reverse without giving a timely warning by sounding of a horn or other signal, and exercising unceasing vigilance while backing, and the operator of such vehicle shall yield the right of way to all other vehicles upon any public highway.

Section 40. It shall be unlawful to drive a motor vehicle, except emergency vehicles, while anyone is standing or sitting wholly or in part upon the steps, fenders or running board thereof, or when the same is so loaded as to interfere with the free, full and ready access to the controlling mechanism thereof, or to drive any motor vehicle unless the doors thereof are closed.

It shall be unlawful to operate a vehicle with more than three (3) persons in the front or driver's seat.

No person shall operate a vehicle on a descending grade with the transmission gears of such vehicle disengaged, unless the same is being towed.

It shall be unlawful to transport any living animal on the running board, fenders, hood or other outside part of any vehicle unless suitable harness, cage, carrier or guard rail is provided and so attached as to reasonably protect such animal from falling or being thrown therefrom.

It shall be unlawful for any person to operate a motor vehicle upon any street when such person has in his or her embrace another person. Any person so doing shall be deemed guilty of reckless driving.

#### ARTICLE VIII

##### Stopping Parking and Angle Parking

Section 41. It shall be unlawful for the operator of a vehicle to stop, park or angle park such vehicle in or on any of the following places except when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of the Town Marshall or other Police Officer or traffic control sign or signal:

Within an intersection.

On a crosswalk.

Within thirty (30) feet of the sidewalk lines at street intersections.

In front of, or within fifty (50) feet of the driveway entrance to any fire or police station or within any marked area contiguous to such driveway.

In front of or within fifteen (15) feet of the end of the curb radius leading to such driveway or way.

On a sidewalk or parking strip.

Alongside or opposite any street excavation or obstruction when such

stopping, parking or angle parking would obstruct traffic.

In any alley except while loading or unloading produce or merchandise only.

Within any space marked as a fire exit.

Double parked, that is, more than six (6) feet from the right hand curb or margin of the roadway, or alongside any vehicle stopped or parked at, and approximately parallel with, the curb or margin of the roadway.

At any place where official traffic signs have been erected prohibiting parking and/or angle parking.

Less than three (3) feet from the front or rear of any lawfully parked vehicle or less than one (1) foot from any vehicle lawfully parked at an angle so that one front wheel, if angle parked, shall be touching the curb.

Section 42. All vehicles shall parallel park and angle park within the corporate limits in such manner as may be prescribed from time to time by resolution of the Town Council.

All vehicles when parked or angle parked shall be within the painted parking lines where such exist, and parallel thereto.

At any place where parking as herein defined is permitted or required, it shall be unlawful to park a vehicle with the right wheels thereof more than twelve (12) inches from the nearest curb.

Section 43. It shall be unlawful for any person to park or angle park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.

When, under the provisions of this code, it shall be lawful to park in an alley, it shall be unlawful for any person to stop or park a vehicle in such alley in such a manner or under such conditions as to leave available less than eight (8) feet of the width of the roadway for the free movement of vehicular traffic, except while actually driving into or out of a garage or driveway.

No person shall park a vehicle at any location designated as a location for angle parking, nor angle park a vehicle at any location designated as a location for parking.

On portions of the street where angle parking is allowed, it shall be unlawful to angle park a vehicle the length of which exceeds eighteen (18) feet over all.

It shall be unlawful to park or angle park a vehicle in such a manner as to cause motor fuel to leak from the tank thereof.

Section 44. The Town Council shall by resolution adopt such existing and establish such additional limited and restricted parking and/or angle parking zones and space from time to time as deemed by it necessary and proper for safety and control of traffic and public welfare within the Town and adopt the use of signs, painted lines or other means to give notice of such.

Section 45. No person having control or charge of a motor vehicle shall park or angle park such vehicle on any street unattended without first setting the brakes and stopping the

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motor of said vehicle, and, when parked upon a perceptible grade, without turning the wheels of such vehicle to the curb or the side of the street or highway, so that in the event of release of the brakes such vehicle will not move.

Section 46. No person shall allow, permit or suffer any vehicle registered (licensed) in his name to park or angle park in violation of any of the provisions of this code or any rule or regulation made pursuant thereto.

Section 47. Abandoned vehicles found by any Police Officer within the corporate limits of the Town shall be immediately reported and surrendered to the Sheriff of Pierce County for disposition as provided by State law.

Any vehicle found by any Police Officer within such corporate limits, parked or angle parked in violation of this ordinance, and/or operated by one arrested for any violation of this ordinance, may be impounded by such Police Officer, and all charges of towing and storage incident thereto shall be a charge against such vehicle until paid. Such impounding shall not preclude prosecution of criminal proceedings in Police Court or elsewhere charging the violator with any violation of this ordinance on account of which said vehicle was impounded.

Section 48. The Town Marshall and Police Judge shall keep a record of all vehicles impounded by manufacturer's trade name or make, and motor number and state registration or license number, the names of owners of such vehicles and of all persons claiming the same, and such other descriptive matter as may identify said vehicle, the nature and circumstances of the impounding thereof, and the violation on account of which said vehicles were impounded and the final disposition of each case.

#### ARTICLE IX Equipment of Vehicles

Section 49. Motorcycles shall be equipped with at least one (1) brake capable of controlling the vehicle at all times.

All brake equipment shall be subject to the approval of the Commission on Equipment of the State of Washington.

Section 50. It shall be unlawful to drive or operate a motor vehicle or bicycle with having attached thereto a suitable bell, horn or other signaling device in working order.

It shall be unlawful to operate any motor vehicle without having attached to such vehicle in a conspicuous place a speedometer which accurately indicates at all times the speed at which such vehicle is being operated.

The windshield on every motor vehicle shall be equipped with a device for cleaning rain or other moisture from an exterior portion of the windshield sufficient to afford the operator clear vision ahead, which device shall be controlled or operated by the driver of the motor vehicle. Any motor vehicle first sold or delivered after January 1, 1938, shall be equipped with such device in good working order capable of clearing the windshield thereof over two separate areas, one each on the left and right side of the windshield.

Section 51. On every motor vehicle operated by an internal combustion

engine, there shall be used an exhaust muffler, and the same shall not be cut out or disconnected within the limits of the Town of Gig Harbor.

Section 52. Every vehicle and every trailer either in motion, stopped or stalled when upon the street and alleys during the period from one-half hour after sunset to one-half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible a person, vehicle or other substantial object on the streets at a distance of five hundred (500) feet ahead, shall be equipped with lights conforming to the requirements of the laws of the State of Washington and rules and regulations of the State Commission on Equipment for lights upon vehicles and/or trailers upon the State Highways under like conditions, except as otherwise provided in this code.

Every bicycle at the times and under the conditions stated in subdivision above, shall be equipped with a light visible under normal atmospheric conditions at least three hundred (300) feet in the direction toward which such bicycle is facing, and shall also carry at the rear of said bicycle a reflex mirror or a lamp exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred (200) feet toward the rear.

Every vehicle drawn or propelled by horses, mules or other animal power and every tractor, power shovel or other machine, shall, when driven on any street or alley during the hours of darkness, have fixed or carried thereon in some conspicuous place on the left side of said vehicle at least one light so fixed or carried that the light therefrom may be seen both from the front and rear of said vehicle, tractor, power shovel or machine.

Section 53. It shall be unlawful for any person to operate or move, or for any owner to cause or permit to be operated or moved upon the streets of Gig Harbor an automobile which is not at all times equipped in the manner required by the Washington State Motor Vehicle Act and the State Commission on Equipment, or the equipment of which is not in proper condition and adjustment as required by that act. Any automobile operating upon the streets of Gig Harbor and at any time found to be defective in equipment in such a manner as to violate said Washington Motor Vehicle Act or this ordinance shall be deemed an unlawful vehicle, and may be prevented from further operation thereon until such equipment is adjusted to correct such defect, and any peace officer of Gig Harbor is hereby empowered to impound such vehicle until the same has been corrected. The necessary cost of such impounding and any cost for storage shall be paid by the owner thereof, and such costs shall be in addition to penalty for such unlawful operation. The provisions of this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of defect in the manner directed by any such peace officer or representative of the State Commission on Equipment.

Section 54. Every owner or operator

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of any motor vehicle used upon any street shall have such vehicle equipped with a mirror or other device to enable the operator thereof to have at all times, clear and unobstructed view to the rear of such vehicle sufficient to enable the operator at all times to observe conditions existing to the rear of such vehicle within a distance of not less than two hundred (200) feet.

#### ARTICLE X

##### Towing

Section 55. No person shall operate a motor vehicle with more than one vehicle in tow, and the distance between such vehicles shall not be greater than sixteen (16) feet. The vehicle being towed shall be in charge of a driver and shall be equipped with brakes, unless pulled by tow bar, and display lights, all in accordance with the requirements of this ordinance provided for motor vehicles.

#### ARTICLE XI

##### Accidents

Section 56. Every person operating or driving any motor vehicle or riding or driving any animal upon the public street and which comes in contact with any pedestrian, vehicle or other object on such public street shall stop and render such aid and assistance as may be required, and in case of injury to any person or damage to any vehicle or property the driver of any vehicle so involved, or any occupant thereof, shall, if so requested, furnish the driver or any other vehicle involved or any occupant of such vehicle or any witness to the accident, or in case of an injured pedestrian, to such pedestrian or witness, the certificate of registration, the license number of his vehicle, the true name and address of the owner, the name and address and the operator's license number of the driver, and the name and address of each occupant of such vehicle, and it shall likewise be the duty of any witness of any such accident to furnish to the driver or occupant of any such vehicle or to any other person concerned in said accident, upon request, his name and address; and it shall be unlawful for either party to a collision, whether resulting from a mistake in judgment or arising from accident, to move away from the place of such collision without complying with the provisions of this subdivision. None of the information required by this section to be given shall be construed as fixing liability or fault or negligence or either party, but shall be a means of identification of the facts and circumstances only.

It shall also be the duty of such operator or driver to render to any such injured persons all necessary assistance, including the carrying of such person or persons to a physician, surgeon, or hospital for medical treatment if such treatment is required or if such carrying is requested by the person struck or any occupancy of such vehicle collided with.

The driver of any vehicle which collides with any vehicle which is unattended, shall immediately stop, and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle, or shall

leave in a conspicuous and secure place in or on the vehicle struck, a written notice, giving the name and address of the driver and of the owner of the vehicle doing the striking, and a statement of the circumstances thereof.

The operator of any vehicle involved in an accident causing injuries or death to any person shall report forthwith in person to the Police Judge or Town Marshall and when involved in an accident resulting in property damage only, shall, within twenty-four (24) hours make a report in person of such accident to the Police Judge or Town Marshall to receive such reports regardless of when made.

When there has been any accident or any wrecked or damaged vehicle is removed from the roadway of a public highway, any glass, debris or other injurious substance dropped from the roadway by the operators involved unless they be incapacitated.

#### ARTICLE XII

##### Livestock

Section 57. It shall be unlawful for any person to cause or permit any livestock to graze or stray upon any street, as in this ordinance defined.

#### ARTICLE XIII

##### Size, Weight and Load

Section 58. No passenger type vehicle shall be operated on any street with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fenders on the right side thereof.

The total outside width of any vehicle or load thereon shall not exceed eight (8) feet and in no event shall the outside measurement of the body of any vehicle exceed eight (8) feet in width. Extension of rear vision mirrors where necessary shall be allowed, but shall be installed at a height of not less than six (6) feet from street level.

The total height of any vehicle or load shall not exceed twelve (12) feet six (6) inches above street level, except repair equipment of a public utility.

No combination of more than two (2) vehicles or any combination having an overall length of over sixty (60) feet and no vehicle having an overall length of over thirty-five (35) feet, shall be operated on any street, except that the above shall not apply to vehicles transporting poles, pipe, machinery or objects of a structural nature which cannot be dismantled or equipment of a public utility, or to vehicles operating under a special permit from the Town Marshall or Police Judge.

The above specifications in this section provided, shall not apply if a special permit has been issued by the Town Marshall or Police Judge.

Any vehicle with a load shall be equipped with clearance lamps on both sides and marker and a red flag by day and marker lamp by night upon the extreme ends of any projecting load, to mark the dimensions thereof, and no such load shall extend beyond the front of the radiator, or shall drag on or come in contact with the street surface.

No vehicle shall operate upon any

Continued on next page

street carrying a load in violation of that allowed on a public highway by the State Motor Vehicle Act in force at the time, or operating under a permit from the State Patrol, unless under a special permit from the Town Marshall or Police Judge.

The Town Marshall or Police Judge may require as a condition precedent to granting any special permit as herein provided, that the applicant execute and deliver to the Town a sufficient surety company bond or cash bond in the sum of One Thousand (\$1,000.00) Dollars conditioned to save the Town harmless from all injuries occasioned by reason of granting same which shall not constitute, however, a waiver of the right of the Town to recover from damages exceeding such sum; and may designate the route to be followed by such vehicle.

The Town Council may by resolution direct and adopt means of marking routes to be followed by vehicles transporting loads on the streets of the Town, in which event such routing shall be complied with by the operator of any such vehicles.

#### ARTICLE XIV

##### Auto Stages

Section 59. The Town Council may by resolution designate the route or routes to be followed by all auto stages, as herein defined, entering or passing through the Town, and the location thereon where passengers or freight may be loaded or unloaded and if such routes be so established shall cause notice in writing to be given the owners thereof, following which it shall be unlawful for such owners and/or operators of any stage to violate the provisions so made.

#### ARTICLE XV

##### Tank Trucks

Section 60. All tank trucks shall be equipped with sufficient fire extinguishers in good working order for the size of load carried; and shall decrease their speed at all intersections to not to exceed twenty (20) miles per hour.

#### ARTICLE XVI

##### Fire Zones and Equipment

Section 61. There is hereby established about the scene of every fire during its course, a "Fire Zone," which shall consist of all public streets within a radius of three hundred (300) feet or more from said fire, and in every case shall include the two nearest street intersections.

Such "Fire Zone" shall remain in existence until such time as the Chief of the Fire Department or of the Pierce County Fire Prevention District No. 5, or their authorized agents shall declare the emergency past.

Commanding officers at fires shall have authority to remove from the "Fire Zone" obstructions to the extinguishing of fire.

All traffic, vehicular and pedestrian, within a "Fire Zone," shall stop in a safe place and it shall be unlawful for any person to move, operate or start to move or operate any vehicle except upon orders of the Town Marshall, the Chief of the Fire Department or of Pierce County Fire Prevention District No. 5, or their authorized agents.

It shall be unlawful to enter a "Fire Zone," to stop, stand or park in such a manner as to hinder the ap-

paratus of the Fire Department or Pierce County Fire Prevention District No. 5 in entering or leaving any "Fire Zone."

It shall be lawful for the Chief of the Fire Department or of Pierce County Fire Prevention District No. 5 and their authorized agents to require the aid of the operator of any vehicle, in drawing or conveying any apparatus, equipment or tools of the Fire Department or of Pierce County Fire Prevention District No. 5 to a fire.

During any emergency requiring the services of the Fire Department or of Pierce County Fire Prevention District No. 5, the Chiefs thereof, or their authorized agents, are authorized to establish fire lines on a public street or private property by roping off same, or by stationing a fireman in uniform, or a police officer, to direct traffic, and it shall be unlawful for any person to disregard or fail to obey the orders of said fireman or police officer or to run over said ropes or to operate any vehicle inside fire lines.

The Town Marshall shall maintain in readiness for immediate use a sufficient quantity of rope for establishing fire lines and in case of fire, upon the request of the Chief of the Fire Department or of Pierce County Fire Prevention District No. 5, or their authorized agents, shall dispatch thereto patrolmen in charge of an officer with said fire line ropes, which officer shall report for duty and be subject to the orders of the Chief of the Fire Department or of Pierce County Fire Prevention District No. 5, or their authorized agents, and shall establish fire lines and direct traffic in accordance with their orders.

The Chief of the Fire Department or of Pierce County Fire Prevention District No. 5, or their authorized agents may, when the walls of a burned building are unsafe or in such condition as to endanger traffic on public streets, or when any pole, chimney, spire, steeple, electric wire or other thing or object endangers human life or property in the public streets, rope, fence, or wall off parts of public streets and private property adjacent thereto and place suitable signs marked "danger" about the same, or red lights at night, and it shall be unlawful for any person to remove, mutilate, tear down or otherwise damage any sign, fence, wall or rope, to walk, or to drive, operate or move any vehicle inside said lines, fences or walls.

Section 62. It shall be unlawful for the operator of any vehicle to follow closer than five hundred (500) feet any fire apparatus traveling in response to a fire alarm, or to drive into or stop any vehicle within the block or within two hundred (200) feet of where fire apparatus has stopped in answer to a fire alarm.

Section 63. It shall be unlawful for the operator of any vehicle to operate or drive over or upon any unprotected hose of any Fire Department when laid down on any street, as herein defined.

#### ARTICLE XVII

##### Parades or Processions

Section 64. It shall be unlawful for any pedestrian, equestrian, driver or

Continued on next page

operator of a vehicle to pass through, or drive between the vehicles comprising, or interrupt, any regularly ordered funeral procession, or any procession authorized by the Town Marshal as herein provided, or passage of the military or naval forces of the United States or of the State or National Guard of the State of Washington. This provision shall not apply to operation of emergency vehicles or at street intersections where traffic is controlled by traffic control signals or police officers.

No person shall leave any vehicle upon any street which is being or has been cleared for parade purposes. All persons except those participating in parades shall keep off the streets temporarily closed for parades.

Section 65. It shall be unlawful to parade upon any street in the Town of Gig Harbor without first notifying the Mayor and Town Marshal and obtaining a permit so to do from said Mayor. Such notification shall be made in writing and shall state the purpose of such parade, the place and hour of formation, the proposed line of march and the names of the persons having charge or control of said parade. Such notification shall be delivered to the Mayor and Town Marshal twenty-four (24) hours before such parade is to take place, provided, however, that this time limitation may be lessened or the notice entirely waived, in the discretion of the Mayor for any unexpected occasion, or in case of a parade of visitors arriving in the Town within less than the above described period preceding the desired hour of parade. The Mayor in his discretion, may direct such modifications of the place of formation and of the line of march and other details of any such parade as traffic conditions and public safety may require, and with the approval of the Town Marshal, may forbid or stop any such parade, whenever deemed necessary for the preservation of the public peace.

#### ARTICLE XVIII

##### Vehicle and Operator's Licenses

Section 66. No person shall operate, park or angle park a motor vehicle or trailer upon any street unless the license issued by the State of Washington for such vehicle is carried thereon, as required by State law at the time. The person in charge of such vehicle shall permit an inspection of such license upon demand of any peace officer.

It shall be unlawful for any person to operate or drive a motor vehicle on the streets or other public highways without having first obtained and being the authorized holder and bearer of, a valid and subsisting driver's or operator's license so to do, as provided for by the laws of the State of

Washington. The person in charge of such vehicle shall permit an inspection of such license upon demand of any peace officer.

Section 67. It shall be unlawful for any person to cause or allow his or her child or ward under the age of eighteen (18) years to operate a motor vehicle upon any street unless such child or ward shall have first obtained a vehicle operator's license to so operate a motor vehicle, and shall be the bearer thereof at the time.

Section 68. It shall be unlawful for any person to authorize or knowingly permit a motor vehicle owned by him or under his control, to be operated on any street by any person who is not legally licensed as an operator of a motor vehicle within the State of Washington.

#### ARTICLE XIX

##### Penalties—License Revocation or Suspension

Section 69. Except as otherwise provided in this ordinance, any person who shall violate or fail to comply with any of the provisions of this ordinance, or who shall counsel, aid or abet any such violation or failure to comply, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding Three Hundred (\$300.00) Dollars, or by imprisonment in the Town Jail for a term not exceeding ninety (90) days or both such fine and imprisonment.

Section 70. In addition to other penalties provided by this ordinance, the Police Court, or the Superior Court upon appeal, shall forthwith suspend the vehicle operator's license for a period of not less than thirty (30) days of any person upon conviction for, or who has forfeited bail or collateral for appearance on a charge of reckless driving; and shall forthwith revoke the vehicle operator's license of any person upon; conviction for operating a vehicle while under the influence of or affected by the use of intoxicating liquor or narcotic drugs; or upon conviction or forfeiture of bail upon three (3) charges of reckless driving, within the preceding two (2) years; or upon conviction of an operator of a motor vehicle involved in an accident resulting in the death of injury of another person, upon a charge of failure to stop and disclose his identity at the scene of the accident as in this ordinance provided.

Passed by the Town Council, signed and approved by the Mayor, this 15th day of November, 1946.

H. H. RYAN,  
Mayor.

Attest: MARIE GUSTAFSON,  
Town Clerk.

Passed Nov. 15th, 1946.