

TITLE 7

MOTOR VEHICLES

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- 7-10 Over Snow Vehicles
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CHAPTER 5

TRAFFIC

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7-5-100. Act Regulating Traffic. Pursuant to W.S. § 15-1-119 (1977), Chapter 5 of Title 31 of Wyoming Statutes 1977, including all amendments thereto through and including 2005, except such sections of said Chapter as are specifically deleted therefrom by § 7-5-110 of this Code, are hereby adopted by reference and incorporated herein as a

part of this Section as if fully set forth herein. (Ord. 5-2, 2004; Ord. 98-1; Ord. 84-H-4, 1984; Ord. 101, §6-101, 1972; Ord. 85, §2, 1967)

7-5-110. Exceptions To Act Regulating Traffic. The following sections of Chapter 5, Title 31 of Wyoming Statutes 1977, as amended, are specifically deleted and excepted therefrom before adoption by the Town Council, as provided in § 7-5-100 of this Chapter:

§ 31-5-110	§ 31-5-959(c)
§ 31-5-118	§ 31-5-1101(b)
§ 31-5-213	§ 31-5-1108
§ 31-5-225(b)	§ 31-5-1110
§ 31-5-227	§ 31-5-1111
§ 31-5-233	§ 31-5-1112
§ 31-5-234(e)	§ 31-5-1201
§ 31-5-235(c)	§ 31-5-1204
§ 31-5-302	§ 31-5-1206(c)
§ 31-5-502	§ 31-5-1212
§ 31-5-510	§ 31-5-1501
§ 31-5-511	§ 31-5-1502
§ 31-5-613	§ 31-5-1503
§ 31-5-937	§ 31-5-1504
§ 31-5-938	§ 31-5-1505
§ 31-5-939	§ 31-5-1506
§ 31-5-940	§ 31-5-1507

(Ord. 5-03, 2005; Ord. 98-2, 1998; Ord. 83-T-10, 1982; Ord. 101, §6-102, 1972; Ord. 85, §3, 1967)

7-5-120. Justice of the Peace to Mean Police Judge. Whenever reference is made in the Uniform Act Regulating Traffic on Highways to Justice of the Peace, said words are hereby amended to and intended to refer to police judge or police court. (Ord. 101, §6-103, 1972)

7-5-130. Quiet Zones. The Town Marshal is authorized to designate Quiet Zones, both temporary and permanent. Every individual in charge of a vehicle or motor car shall exercise special care to approach and proceed through quiet zones as noiselessly as possible. (Ord. 101, §6-104, 1972; Ord. 85, §6-145, 1967)

7-5-140. School Buses.

(a) The driver of a vehicle within the corporate limits of the Town of Big Piney, upon meeting or overtaking from either direction any stopped school bus, whether the bus is stopped on a street or a bus loading area on school property, shall stop before reaching the school bus when there is in operation on the school bus the flashing red lights as specified in Wyoming Statutes §31-5-929, and the driver shall not proceed until the school bus resumes motion or the flashing red lights are no longer actuated.

(b) Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "School Bus" in letters not less than eight inches in height, and in addition shall be equipped with red visual signals meeting the requirements of Wyoming Statute §31-5-929, which shall be actuated by the driver of the school bus whenever the vehicle is stopped and is receiving or discharging school children in any place, including in designated school bus loading areas. (Ord. 96-1, 1996; Ord. 101, §6-105, 1972; Ord. 85, §6-146, 1967; Ord. 78, 1965)

7-5-150. Double Parking Prohibited. Two vehicles shall not be permitted to stand side by side parallel to the curb unless the driver of the vehicle nearest to the center of the street remains at the wheel, to remove such vehicle promptly should congestion be apparent. (Ord. 101, §6-106, 1972; Ord. 85, §6-147, 1967)

7-5-160. Meddling With Parked Vehicles Prohibited. It shall be unlawful for any person not the owner or operator thereof to tamper with, meddle with or interfere with any vehicle, or to start or attempt to start the machinery thereof while the same is standing still; or to puncture or otherwise mutilate the tires, or to scratch, mark or otherwise deface the body or the apparatus thereof, or to take or remove from said vehicle or any part or portion of the machinery, equipment or other portion thereof, or to throw, cast or hurl stone, rock snowball, glass or other missile at any vehicle or the occupants thereof. (Ord. 101, §6-107, 1972; Ord. 85, §6-148, 1967)

7-5-170. Meddling with Traffic Control Devices. It shall be unlawful for any person to remove or to tamper with, meddle, or interfere with any traffic sign, painted, drawn or established pedestrian line constructed or maintained under the provisions of this Chapter. (Ord. 101, §6-107, 1972; Ord. 85, §6, 1967)

7-5-180. Parking In Alleys. With the exception of loading or unloading passengers or freight, no person shall park a vehicle within an alley in such a manner or under such conditions as to leave less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (Ord. 101, §6-108, 1972; Ord. 85, §6-150, 1967)

7-5-190. Careless Driving. Any person who drives any motor vehicle in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic and use of the streets and highway and all other attendant circumstance, is guilty of careless driving. (Ord. 101, §6-109, 1972; Ord. 85, §6-151, 1967)

7-5-200. Littering. It shall be unlawful for any person to throw, dump, place or dispose of, in any manner, upon any highway, street or road right-of-way, any garbage, trash, litter, rubbish, debris, carcass or part thereof, tin cans, scrap iron, glass, bottles, or any substance which would in any way detract from the appearance of the land within any highway, street or right-of-way. (Ord. 101, §6-110, 1972; Ord. 85, §6-152, 1967)

7-5-210. Speed or Acceleration Contests or Exhibition. No person shall engage in any motor vehicle speed or acceleration contest, or exhibition of speed or acceleration on any highway or street within the Town of Big Piney, without approval of such use by the governing body in charge of said highway or street. No person shall aid or abet in any such motor vehicle speed or acceleration contest or exhibition on any highway or street without approval of such use by the governing body in charge of said highway or street. No person shall for the purpose of facilitating or aiding or as an incident to any motor vehicle speed or acceleration contest upon a highway or street, in any manner obstruct or place or assist in placing any barricade or obstruction upon any highway without approval of such use by the governing body in charge of said highway or street. (Ord. 101, §6-111, 1972; Ord. 85, §6-153, 1967)

7-5-220. Driving Without A License. It shall be unlawful for any person to operate a motor vehicle within the limits of the Town of Big Piney unless the operator has in his or her immediate possession a valid driver's or chauffeur's license issued to such operator and displays the same upon demand of any police officer. Provided, however, that no person charged with a violation of this section shall be convicted if he or she produces in court a driver's or chauffeur's licensed theretofore issued to him or her and which was valid at the time of his or her arrest or apprehension. The term "motor vehicle" for the purpose of this section shall not include farm implements temporarily operated on or moved on a highway nor snowmobiles. (Ord. 83-H-1, 1983; Ord. 85, §6-149, 1967)

7-5-230. Unlicensed Vehicles. It shall be unlawful for any person to operate a titled licensed motor vehicle within the Town limits of the Town of Big Piney unless said motor vehicle shall be validly licensed and registered in the State of Wyoming. Said requirement shall not apply in the following cases:

(a) Owner or operators if non-resident of the State of Wyoming unless employed within the State of Wyoming.

(b) Full-time students at the University of Wyoming or a Wyoming community college, while attending school.

(c) Commercial vehicles.

(d) Transportable homes.

(e) Antique motor vehicles. An "antique motor vehicle" is defined as being at least 25 years old and owned solely as a collector's item.

(f) Mopeds.

(Ord. 85-H-10, 1985)

7-5-240. Parking. It shall be unlawful for any person to park a motor vehicle upon the streets of the Town of Big Piney unless said motor vehicle is parked parallel to the edge of the street and with the passenger side within 18 inches of the curb or sidewalk, if present, except in areas designated by ordinance for other type of parking. (Ord. 85-H-13, 1985)

7-5-250. Speed Limit Restrictions. Except when a special hazard or condition exists that requires a lower speed, the limits specified in this section shall be the maximum

lawful speed, and no persons shall drive a vehicle on any local street in excess of such maximum limit:

(a) Twenty miles per hour on any local street, specifically excluding U.S. 189 and Highway 350 which are controlled by the state.

(b) Vehicular speed limit signs shall be properly posted at each end of said street to put the public on notice of the speed limit. (Ord. 95-3, 1995; Ord. 90-3, 1990)

7-5-260. School Zone.

(a) That part of Nichols Street between Quealy Avenue and Budd Avenue hereby is declared a school zone and the speed limit for vehicular traffic in said school zone is 20 miles per hour.

(b) The school zone shall be properly posted to put the public on notice of the school zone and the speed limit. (Ord. 94-7, 1994)

7-5-270. One Way Traffic Patterns.

(a) Vehicular traffic over the alley running east and west across Block 7, C. P. McGlashan First Addition to the Town of Big Piney, is hereby restricted to one-way travel, namely from West to East.

(b) The alley shall be properly posted to put the public on notice of the one-way traffic pattern. (Ord. 93-3, 1993)

7-5-280. Truck Parking

(a) It will be unlawful for any truck to be parked longer than one hour with its engine running within 300 feet of any residence in the Town of Big Piney, Wyoming, between the hours 10:00 p.m. and 5:00 a.m. within any 12-hour period.

(b) To assist the trucking industry in the area, the Town of Big Piney will designate an area or public roadway which is more than 300 feet from any residence in the Town for the use of overnight truck parking, between the hours of 10:00 p.m. and 5:00 a.m. only. Said area will be plainly posted. Any abuse to said overnight parking area will not be tolerated by the Town of Big Piney, Wyoming.

(c) The Designated Truck Parking Area is as follows: Beach Avenue between North Street and Norris Street; Norris Street between front Street (Highway 189) and the incorporated easterly boundary for the Town of Big Piney.

(d) Any violation of this section is a misdemeanor punishable by a fine of not more than \$750.00. (Ord. 94-2, 1994)

7-5-285. Engine Retarding Brakes Prohibited.

(a) It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the corporate limits of the Town of Big Piney.

(b) For purposes of this section engine retarding brakes are defined to include, but not be limited to, C Brakes, PacBrakes, TekBrakes, Jake Brakes, Jacobs Brakes, and any other type of engine retarder or compression brakes commonly utilized within the trucking industry.

(c) Violation of this section is a misdemeanor punishable by a fine of not more than \$750.00. (Ord. 6-10, 2006)

7-5-290. Motorized Traffic on Bike Path.

(a) It is unlawful for any person to drive any unauthorized motorized vehicle or other unauthorized motorized conveyance on the Bike Path located within the Town of Big Piney on the southerly right-of-way of State Highway 350 between milepoint 0.50 and milepoint 1.30.

(b) Any violation of this section is a misdemeanor punishable by a fine not to exceed \$750.00. (Ord. 98-3, 1998)

7-5-300. Authority of Town Marshal. The Town Marshal and the Traffic Division over which he has jurisdiction, is authorized to establish any regulation not mentioned in this Motor Vehicle Code , which, in his opinion, is necessary for the public safety and convenience. (Ord. 101, §6-112, 1972; Ord. 85, §6-154, 1967)

7-5-310. Closure of Streets.

(a) It shall be unlawful for any person to operate a motor vehicle, except for school buses, emergency vehicles or law enforcement vehicles, upon that section of Nichols Street extending from the intersection of Nichols Street with Budd Avenue and southerly to the South terminus of Nichols Street when Big Piney Schools are in session, between the hours of 8:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m.

(b) Any person violating this section shall be punished in accordance with Section 1-10-120. (Ord. 84-H-3, 1972)

7-5-320. Parking by Fire Hydrant. No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic, or in compliance with the law or order of a police officer or traffic control device, within 15 feet of a fire hydrant. (Ord. 6-110-1, 1976)

TITLE 7
MOTOR VEHICLES
CHAPTER 10
OVER SNOW VEHICLES

Sections:

7-10-100	Over Snow Vehicle Defined
7-10-110	Prohibited Vehicles
7-10-120	Permitted Operations
7-10-130	Towing
7-10-140	Safety Equipment
7-10-150	Safety Helmets
7-10-160	Mufflers
7-10-170	Brakes
7-10-180	Lights
7-10-190	Inspections
7-10-200	Rules Of The Road

7-10-100. Over Snow Vehicle Defined. An over snow vehicle is hereby defined as a mechanically driven vehicle in, upon or by which any person or property is or may be transported or drawn upon a roadway the motive force of which is applied through a revolving track, guided by skis or differential track operation. No over snow vehicle shall be operated within the incorporated limits of the Town of Big Piney except upon compliance with this Chapter. (Ord. 101, §6-113, 1972)

7-10-110. Prohibited Vehicles. No over snow vehicles shall be operated within the incorporated limits which are propeller driven or which have tracks capable of damaging road surfaces. (Ord. 101, §6-114, 1972)

7-10-120. Permitted Operations. Over snow vehicles shall operate over designated roadways when the same shall be snow covered or snow packed only, and such vehicles shall not be permitted to operate on sidewalks. (Ord. 101, §6-115, 1972)

7-10-130. Towing. No over snow vehicle shall pull any skier, sled or other combination vehicle by rope or flexible coupling; all sleighs or cutters shall be safely and securely affixed to angular shaped tow-bar not to exceed 40 inches in length, being securely affixed to two points on the sleigh or cutter, with one flexible joint at the center of the over snow vehicle. (Ord. 101, §6-116, 1972)

7-10-140, Safety Equipment. It shall be a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any roadway, any over snow vehicle or combination of vehicles which is in such unsafe

condition as to endanger any persons or property or which does not contain those parts or is not at all times equipped with such equipment in proper condition and adjustment as is required by this Chapter or which is equipped in any manner in violation thereof. (Ord. 101, §6-117, 1972)

7-10-150. Safety Helmets. It shall be unlawful for any person to operate or ride upon or be towed behind any over snow vehicle within the Town of Big Piney without wearing a safety helmet designed for that purpose. (Ord. 101, §6-118, 1972)

7-10-160. Mufflers. Every over snow vehicle at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. (Ord. 101, §6-119, 1972)

7-10-170. Brakes. Every over snow vehicle shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. (Ord. 101, §6-120, 1972)

7-10-180. Lights. Every over snow vehicle shall be equipped with a headlight and taillight, both to be visible from 500 feet. The lights are to be lighted a half hour after sunset until a half hour before sunrise, when the vehicle is in use, or at any other time when due to insufficient light or unfavorable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 500 feet. (Ord. 101, §6-121, 1972)

7-10-190. Inspections. The Town Police, the members of the State Highway Patrol and County officials may at any time upon reasonable cause to believe that an over snow vehicle is unsafe or not equipped as required by this Chapter or that its equipment is not in proper adjustment or repair, require an inspection and test with reference thereto as may be appropriate. No person shall operate any vehicle after receiving notice with reference thereto as above provided except as may be necessary to return such vehicle to the residence or place of business of the owner or driver or to a garage, until said vehicle and its equipment have been placed in proper repair and adjustment and otherwise made to the requirements of this ordinance. (Ord. 101, §6-122, 1972)

7-10-200. Rules of The Road. Every operator of an over snow vehicle shall observe all of the rules of the road pertaining to vehicles, and, in addition, shall yield the right-of-way to motor vehicles. All ordinances of the Town pertaining to the operation of vehicles, to the extent that the same are not in conflict herewith, shall be applicable to the operation of over snow vehicles and are adopted by reference and made a part hereof the same as if set forth herein. In addition, all over snow vehicles shall come to a complete stop at each and every street intersection or when coming out of an alley or off of private property upon or to cross a street before proceeding. Over snow vehicles shall not be allowed to operate along paved streets or highways and will only be allowed to cross said streets at intersections. (Ord. 101, §6-123, 1972)

TITLE 7
MOTOR VEHICLES
CHAPTER 15
ABANDONED VEHICLES

Sections:

7-15-100	Definitions
7-15-110	Unlawful To Abandon Vehicle
7-15-120	Notice
7-15-130	Involuntary Removal
7-15-140	Cost Of Removal and Storage
7-15-150	Penalty For Unauthorized Removal
7-15-160	Penalty For Failure To Remove After Personal Notice Given
7-15-170	Disposition Of Abandoned Vehicle
7-15-180	Impound By Town Marshal
7-15-190	Disposition Of Unclaimed Impounded Vehicles

7-15-100. Definitions.

(a) "Vehicle" as used in this Chapter shall include motor vehicles, trailers, mobile homes, campers, motorcycles and any other type of device designed to travel upon any street or alley of the Town, whether such is licensed or unlicensed in this state or in any other state.

(b) "Abandon" as it is used in this ordinance shall mean a vehicle which is placed on any street or alley of the Town without being moved at least 100 feet for a continuous period of more than five days. Any vehicle deemed abandoned shall constitute a public nuisance. (Ord. 83-H-3, §6-901, 1983; Ord. 101, §6-124, 1972)

7-15-110. Unlawful to Abandon Vehicle. It shall be unlawful for any owner or person entitled to lawful possession of a vehicle to cause or allow the same to be abandoned on any street or alley in the Town of Big Piney. (Ord. 83-H-3, §6-902, 1983; Ord. 101, §6-124, 1972)

7-15-120. Notice. When a vehicle has been abandoned on the streets or alleys of the Town, the Town Marshal shall cause an investigation to be made to determine its ownership or the name of the person who was in lawful possession prior to abandonment, and if such person is found within the corporate limits, the Town Marshal shall notify him in person to immediately remove the same. If the name of such person cannot be ascertained, or if such person resides outside of the corporate limits of the Town, the Town Marshal shall cause a notice to be attached to the vehicle in a conspicuous place, advising that the vehicle will be removed in conformity with the provisions of this Chapter if it is not properly relocated within 24 hours after the time notice is placed on the vehicle, that it will be removed and stored at the expense of the owner, and that the penalties specified in

Section 7-15-150 and 7-15-160 will be suffered if it is not moved within the time specified or if there is unauthorized removal after the vehicle is placed in storage. (Ord. 83-H-3, §6-903, 1983; Ord. 101, §6-124, 1972)

7-15-130. Involuntary Removal. If the person who is personally notified fails to remove the abandoned vehicle within a reasonable time thereafter, not to exceed 12 hours, unless extended in writing by the Town Marshal for good cause shown, or if such person cannot be found and a notice has been attached to the vehicle for a period of 24 hours after it has been deemed abandoned, it shall be the duty of the Town Marshal to cause it to be removed by any means necessary, and he shall direct or cause it to be stored at any place he deems appropriate, either within or outside of the corporate limits. Neither the Town Marshal, nor anyone acting upon his direction, shall incur any liability to the owner or person in lawful possession for any damage or loss caused to the vehicle during the course of its removal or storage. (Ord. 83-H-3, §6-904, 1983; Ord. 101, §6-124, 1972)

7-15-140. Cost of Removal and Storage. All costs of removing and storing the abandoned vehicle shall be assessed against and paid by the owner or person in lawful possession, and the vehicle shall not be released to anyone until all such charges have been fully paid. (Ord. 83-H-3, §6-905, 1983; Ord. 101, §6-124, 1972)

7-15-150. Penalty for Unauthorized Removal. Any person who causes, directs or assists in the unauthorized removal of any abandoned vehicle which has been placed in storage, without first paying all costs of removal and of storage, shall be guilty of a misdemeanor, and upon conviction shall be fined a sum not to exceed \$100.00, to which may be added all costs of removal and storage, including repossession cost. A conviction under this section shall not preclude a conviction for failing to remove the abandoned vehicle after notice has been given in the manner specified in Section 7-15-120. (Ord. 83-H-3, §6-907, 1983; Ord. 101, §6-124, 1972)

7-15-160. Penalty for Failure to Remove After Personal Notice Given. If the owner or person in lawful possession who was personally notified within the corporate limits to remove the abandoned vehicle fails to do so within 12 hours after such notice was given, he shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not to exceed \$25.00. (Ord. 83-H-3, [6-907, 1983; Ord. 101, §6-124, 1972)

7-15-170. Disposition of Abandoned Vehicle. If an owner who has been personally notified within the corporate limits of the Town fails to redeem the abandoned vehicle within 10 days after it has been removed and placed in storage; or if notice was given by placing such on the vehicle, and neither the owner nor the person entitled to lawful possession redeems it for a continuous period of 30 days after it has been placed in storage, the Town Marshal shall cause a notice to be published in a newspaper of general circulation in the county for two weeks, running once a week consecutively, stating that the vehicle will be sold at public auction, in plain view, to the highest bidder for cash, at a time and place specified, but not later than seven days after publication of the last notice, for a sum equivalent to the cost of removal, storage and of sale, and a copy of the notice shall be mailed, certified mail, return receipt requested, to any owner who does not reside

within the corporate limits of the Town, or it shall be delivered to any owner residing therein. The sale shall be conducted by the Town Marshal and he shall deliver a certificate of sale to the purchaser, without warranty, and it shall be the responsibility of the purchaser to perfect title. The certificate of sale may contain an assignment of storage rights in order to assist the purchaser in obtaining a certificate of title pursuant to a subsequent storage lien sale. Any proceeds remaining after such sale shall be remitted to the owner, but if ownership cannot be established, or if the owner cannot be located, such proceeds shall be deposited into the general fund of the Town after expiration of a three-month period following the sale. (Ord. 83-H-3, §6-908, 1983; Ord. 101, §6-124, 1972)

7-15-180. Impound by Town Marshal. It shall be the duty of the Town Marshal to remove from any street or alley any vehicle which he deems to be parked in a manner which is hazardous to other users of the public ways within the Town, or which he deems should be removed in order to protect the vehicle, or to best serve and promote the safety, health and welfare of citizens of the Town. A vehicle impounded in such manner shall have a notice of impound placed on it in a conspicuous place, which shall inform the owner that it cannot be removed from its place of storage without paying all costs of removal and storage, and personal notice of such impound shall be given to any owner residing within the corporate limits of the Town. Neither the Town Marshal nor anyone acting under his direction shall incur any liability for damage or loss caused to any vehicle that is removed, impounded, and stored under this section. The owner or person who was in lawful possession shall have the right to redeem the vehicle in conformity with the provisions of this Chapter relating to abandoned vehicles. (Ord. 83-H-3, §6-909, 1983; Ord. 101, §6-124, 1972)

7-15-190. Disposition of Unclaimed Impounded Vehicles. If the owner of a vehicle has been given personal notice within the corporate limits of the Town of the impoundment of his vehicle, he shall have 10 days after such notice within which to redeem it in the manner specified. If he fails to do so, the impounded vehicle shall be deemed to be an abandoned vehicle. If notice of impoundment is given in any other manner, the vehicle shall not be deemed abandoned until expiration of 30 days after impoundment. In either instances, the vehicle deemed abandoned may be disposed of in the manner provided in this Chapter. Nothing herein contained shall be construed as preventing the Town Marshal from extending the time of redemption for good cause shown, or from making any other arrangements for redemption that he deems to be appropriate under the circumstance. (Ord. 83-H-3, §6-911, 1983; Ord. 101, §6-124, 1972)