

## Chapter 300

### GENERAL PROVISIONS

**Section 300.010. Definitions.** [Ord. No. 978 §3, 4-5-2001]

The following words and phrases, when used in this Title, mean:

**ALL-TERRAIN VEHICLE** — Any motorized vehicle manufactured and used exclusively for off-highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control.

**ALLEY OR ALLEYWAY** — Any street with a roadway of less than twenty (20) feet in width.

**BUSINESS DISTRICT** — The territory contiguous to and including a highway when within any six hundred (600) feet along the highway there are buildings in use for business or industrial purposes including, but not limited to, hotels, banks or office buildings and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway.

**CENTRAL BUSINESS (OR TRAFFIC) DISTRICT** — All streets and portions of streets within the area described by City ordinance as such.

**CITY** — The City of Mound City, Missouri.

**COMMERCIAL MOTOR VEHICLE** — A motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight (8) passengers but not including vanpools or shuttle buses.

**CONTROLLED ACCESS HIGHWAY** — Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street or roadway.

**CRIMINAL HISTORY CHECK** — A search of criminal records, including criminal history record information as defined in Section 43.500, RSMo., maintained by the Missouri State Highway Patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records, including but not limited to, any record of conviction, plea of guilty or nolo contendere, or finding of guilty in any State for any offense related to alcohol, controlled substances, or drugs.

**CROSSWALK** —

1. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the

absence of curbs, from the edges of the traversable roadway.

2. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**CURB LOADING ZONE** — A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

**DRIVER** — Every person who drives or is in actual physical control of a vehicle.

**EMERGENCY VEHICLE** — Is a vehicle of any of the following types:

1. A vehicle operated by the State Highway Patrol, the State Water Patrol, the Missouri Capitol Police, a Conservation Agent or a State Park Ranger, those vehicles operated by enforcement personnel of the State Highways and Transportation Commission, Police or Fire Department, Sheriff, Constable or Deputy Sheriff, Federal Law Enforcement Officer authorized to carry firearms and to make arrests for violations of the laws of the United States, Traffic Officer or Coroner or by a privately owned emergency vehicle company;
2. A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;
3. Any vehicle qualifying as an emergency vehicle pursuant to Section 310.080 of this Title;
4. Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;
5. Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;
6. Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of Chapter 44, RSMo.;
7. Any vehicle operated by an authorized employee of the Department of Corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;
8. Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of Sections 260.500 to 260.550, RSMo.
9. Any vehicle owned by the State Highways and Transportation Commission and operated by an authorized employee of the Department of Transportation that is marked as a Department of Transportation emergency response or motorist assistance vehicle.

**FREIGHT CURB LOADING ZONE** — A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers).

**HIGHWAY** — The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**INTERSECTION** —

1. The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; or
2. Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

**LANED ROADWAY** — A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

**MOTOR VEHICLE** — Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles.

**MOTORCYCLE** — Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

**MOTORIZED BICYCLE** — Any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters which produces less than three (3) gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground.

**OFFICIAL TIME STANDARD** — Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in the City.

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

**PARK OR PARKING** — The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

**PASSENGER CURB LOADING ZONE** — A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

**PEDESTRIAN** — Any person afoot.

**PERSON** — Every natural person, firm, co-partnership, association or corporation.

**POLICE OFFICER** — Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**PRIVATE ROAD OR DRIVEWAY** — Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

**RECREATIONAL OFF-HIGHWAY VEHICLE** — Any motorized vehicle manufactured and

used exclusively for off-highway use which is more than fifty (50) inches but no more than sixty-seven (67) inches in width, with an unladen dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more non-highway tires and which may have access to ATV trails.

**RESIDENCE DISTRICT** — The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

**RIGHT-OF-WAY** — The right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

**ROADWAY** — That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "*roadway*", as used herein, shall refer to any such roadway separately but not to all such roadways collectively.

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

**SIDEWALK** — That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for use of pedestrians.

**STAND OR STANDING** — The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

**STOP** — When required, complete cessation from movement.

**STOP OR STOPPING** — When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control sign or signal.

**STREET OR HIGHWAY** — The entire width between the lines of every way publicly maintained when any part thereof is open to the uses of the public for purposes of vehicular travel. "*State highway*", a highway maintained by the State of Missouri as a part of the State highway system.

**THROUGH HIGHWAY** — Every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign when such signs are erected as provided in this Title.

**TRAFFIC** — Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel.

**TRAFFIC CONTROL SIGNAL** — Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**TRUCK** — Any vehicle designed or operated for the transportation of property that is licensed

over twenty-four thousand (24,000) pounds by the Missouri Department of Revenue, Motor Vehicle Department.

**UTILITY VEHICLE** — Any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three (63) inches or less in width, with an unladen dry weight of one thousand eight hundred fifty (1,850) pounds or less, traveling on four (4) or six (6) wheels, to be used primarily for landscaping, lawn care, or maintenance purposes.

**VEHICLE** — Any mechanical device on wheels designed primarily for use or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, cotton trailers, or motorized wheelchairs operated by handicapped persons.