

**CHAPTER NINE  
TRAFFIC**

ARTICLE 1 – Definitions (Page 129)

9.0101 Definitions

ARTICLE 2 - Traffic Administration (Page 129)

9.0201 Duty of Police Department  
9.0202 Records of Traffic Violations  
9.0203 Police Department to Investigate Accidents

ARTICLE 3 - Enforcement and Obedience to Traffic Regulations (Page 130)

9.0301 Authority of Police and Fire Department Officials  
9.0302 Obedience to Traffic Ordinances  
9.0303 Obedience to Police Officers or Firemen  
9.0304 Certain Non-motorized Traffic to Obey Traffic Regulations  
9.0305 Use of Coasters, Roller Skates and Similar Devices Restricted  
9.0306 Public Employees to Obey Traffic Regulations  
9.0307 Emergency Vehicles  
9.0308 Operation of Vehicles on Approach of Authorized Emergency Vehicles  
9.0309 Written Report of Accident

ARTICLE 4 - Traffic Control Devices (Page 131)

9.0401 Authority to Install  
9.0402 Specifications for  
9.0403 Obedience to Traffic Control Devices  
9.0404 Unauthorized Signs  
9.0405 Interference with Official Traffic Control Device or Sign  
9.0406 Designation of Walks, Lanes, Etc.

ARTICLE 5 - Speed Regulations and Care Required (Page 132)

9.0501 Basic Rules - Penalty for Violation  
9.0502 Speed Limitations  
9.0503 When Local Authorities May or Shall Alter Maximum Speed - Limits - Signs Posted  
9.0504 Speed Limitations Inapplicable to Whom - Liability of Exempt Driver for Reckless Driving  
9.0505 Minimum Speed Limits  
9.0506 Regulations of Speed by Traffic Signals  
9.0507 Exhibition Driving and Drag Racing - Definitions - Penalty  
9.0508 Radar Evidence in Speed Violations  
9.0509 Care Required in Operating Vehicle

ARTICLE 6 - Turning Movements (Page 133)

9.0601 Required Position and Method of Turning  
9.0602 Vehicle Turning Left  
9.0603 Limitations on Turning Around  
9.0604 Turning Movements and Required Signals  
9.0605 Signals by Hand and Arm or Signal Lamps  
9.0606 Methods of Giving Hand and Arm Signals

ARTICLE 7 - Special Stops (Page 134)

- 9.0701 Authority to Designate Through Streets
- 9.0702 Through Streets Designated
- 9.0703 Signs
- 9.0704 Stop Signs and Yield Signs
- 9.0705 Emerging from Alley or Driveway
- 9.0706 Stop When Traffic Obstructed
- 9.0707 Obedience to Signal Indicating Approach of Train

ARTICLE 8 - Operators (Page 135)

- 9.0801 Operators - Who Prohibited

ARTICLE 9 - Miscellaneous Driving Rules (Page 135)

- 9.0901 When Traffic Obstructed
- 9.0902 Driving Through Funeral or Other Procession
- 9.0903 Drivers in a Procession
- 9.0904 Funeral Processions to be Identified
- 9.0905 When Permits Required for Parades and Processions
- 9.0906 Drive on Right Side of Roadway - Exceptions
- 9.0907 Passing Vehicles Proceeding in Opposite Direction
- 9.0908 Overtaking a Vehicle on the Left
- 9.0909 When Overtaking on the Right is Permitted
- 9.0910 Limitations on Overtaking on the Left
- 9.0911 Further Limitations on Driving on Left of Center of Roadway
- 9.0912 No-Passing Zones
- 9.0913 Driving on Roadways Laned for Traffic
- 9.0914 Following Too Closely
- 9.0915 Driving on Divided Highways
- 9.0916 Restricted Access
- 9.0917 Restrictions on Use of Controlled-Access Roadway
- 9.0918 Vehicle Entering Roadway
- 9.0919 Vehicle Approaching or Entering Intersection
- 9.0920 Overtaking and Passing Schoolbus
- 9.0921 Unattended Motor Vehicle
- 9.0922 Limitations on Backing
- 9.0923 Obstruction to Driver's View or Driving Mechanism
- 9.0924 Opening and Closing Vehicle Doors
- 9.0925 Coasting Prohibited
- 9.0926 Following Fire Apparatus Prohibited
- 9.0927 Crossing Fire Hose
- 9.0928 Garbage, Glass, Etc. on Highways Prohibited
- 9.0929 Driving Through Safety Zone Prohibited
- 9.0930 Moving Heavy Equipment at Railroad Grade Crossings
- 9.0931 Open Container Law - Penalty
- 9.0932 Permitting Unauthorized Minor to Drive
- 9.0933 Permitting Unauthorized Person to Drive

ARTICLE 10 - Pedestrians' Rights and Duties (Page 138)

- 9.1001 Pedestrian Obedience to Traffic Control Devices and Traffic Regulations
- 9.1002 Pedestrians' Right-of-Way in Crosswalks
- 9.1003 Crossing at Other than Crosswalks
- 9.1004 Drivers to Exercise Due Care
- 9.1005 Pedestrians to Use Right Half of Crosswalks
- 9.1006 Pedestrians on Roadways
- 9.1007 Pedestrians' Right-of-Way on Sidewalks
- 9.1008 Pedestrians Yield to Authorized Emergency Vehicles
- 9.1009 Blind Pedestrians' Right-of-Way
- 9.1010 Pedestrians Under Influence of Alcohol or Drugs
- 9.1011 Bridge and Railroad Signs
- 9.1012 Pedestrians Soliciting Rides or Business

ARTICLE 11 - Regulations for Motorcycles (Page 139)

- 9.1101 Traffic Laws Apply to Persons Operating Motorcycles or Motorized Bicycles
- 9.1102 Riding on Motorcycles
- 9.1103 Operating Motorcycles on Roadways Laned for Traffic
- 9.1104 Clinging to Other Vehicles
- 9.1105 Footrests
- 9.1106 Equipment for Motorcycle Riders
- 9.1107 Other Applicable Law

ARTICLE 12 - Regulations for Bicycles (Page 140)

- 9.1201 Effect of Regulations
- 9.1202 Traffic Ordinances Apply to Persons Riding Bicycles
- 9.1203 Obedience to Traffic Control Devices
- 9.1204 Riding on Sidewalks
- 9.1205 Riding on Roadways and Bicycle Paths
- 9.1206 Clinging to Vehicles
- 9.1207 Carrying Articles
- 9.1208 Lamps and Other Equipment on Bicycles
- 9.1209 Riding on Bicycles
- 9.1210 Parking
- 9.1211 Cycle Racing Prohibited
- 9.1212 Point System Not Applicable
- 9.1213 Bicycle may be Impounded by Police

ARTICLE 13 - Angle Parking (Page 142)

- 9.1301 Angle Parking
- 9.1302 Angle Parking - Where
- 9.1303 Close to Curb
- 9.1304 Method of Parking - Penalty

ARTICLE 14 - Stopping, Standing or Parking Prohibited in Specific Places (Page 142)

- 9.1401 Parking Prohibited - All Times
- 9.1402 Stopping, Standing or Parking Outside of Business or Residence Districts
- 9.1403 Officers Authorized to Remove Illegally Stopped Vehicles
- 9.1404 Stopping, Standing or Parking Prohibited in Specified Places
- 9.1405 Additional Parking Regulations
- 9.1406 Stopping - Parking - Certain Purposes Prohibited
- 9.1407 Stopping - Parking - Congested - Hazardous Places
- 9.1408 Stopping - Parking - In Alleys
- 9.1409 Parking Adjacent to Schools
- 9.1410 Stopping - Parking - Over 48 Hours
- 9.1411 Parking Privileges for Mobility-Impaired - Certificate - Revocation

ARTICLE 15 - Reserved Parking Areas (Page 144)

- 9.1501 Reserved Parking Areas

ARTICLE 16 - Time Limit Parking Zones (Page 144)

- 9.1601 Time Limit Parking Zones

ARTICLE 17 - Equipment of Vehicles (Page 144)

- 9.1701 Windshield - Must be Unobstructed and Equipped with Wipers - Tinted Windows
- 9.1702 Child Restraint Devices - Evidence
- 9.1703 Use of Safety Belts - Enforcement
- 9.1704 Drawbar or Connection Between Vehicles - Precautions Required
- 9.1705 Modification of Motor Vehicle
- 9.1706 Scope and Effect of Equipment Requirements - Penalty
- 9.1707 Alteration of Odometers or Other Mileage Recorders - Penalty

ARTICLE 18 - Motorcycle Equipment (Page 146)

- 9.1801 Purpose

ARTICLE 19 - Lighted Lamps Required (Page 146)

- 9.1901 When Lighted Lamps are Required

ARTICLE 20 - Regulating the Kinds and Classes of Traffic on Certain Roads (Page 146)

- 9.2001 Load Restrictions Upon Vehicles Using Certain Roadways
- 9.2002 Commercial Vehicles Prohibited from Using Certain Streets
- 9.2003 Size Restrictions Upon Vehicles Using Certain Highways
- 9.2004 Restrictions Upon Use of Streets by Certain Vehicles

ARTICLE 21 - Criminal Traffic Violations (Page 147)

- 9.2101 Persons Under the Influence of Intoxicating Liquor or Narcotic Drugs Not to Operate Vehicle - Penalty
- 9.2102 Prior Offenses
- 9.2103 Reckless Driving - Penalty
- 9.2104 Accidents Involving Damage to Vehicle - Penalty
- 9.2105 Duty Upon Striking Unattended Vehicle - Penalty
- 9.2106 Duty Upon Striking Fixtures Upon a Highway
- 9.2107 Penalty for Driving While License Suspended or Revoked - Impoundment of Vehicle Number Plates - Authority of City
- 9.2108 Definitions of Operation of Off-Highway Vehicles (Page 148)
- 9.2109 Rules for Operation and Registration of Off-Highway Vehicles
- 9.2110 Definitions of Operation of Snowmobiles (Page 148)
- 9.2111 Rules for Operation of Snowmobiles
- 9.2112 Operation of Snowmobiles in City
- 9.2113 Operation of Motor Vehicle, Tractor or Other Vehicle Prohibited on Flood Protective Works - Exception - Penalty
- 9.2114 Driving Without a License
- 9.2115 License to be Carried and Exhibited on Demand
- 9.2116 Penalty

ARTICLE 22 - Disposition of Traffic Offenses (Page 149)

- 9.2201 Halting Person for Violating Traffic Regulations - Duty of Officer Halting
- 9.2202 Hearing - Time - Promise of Defendant to Appear - Failure to Appear - Penalty
- 9.2203 Offenses Under Which Person Halted May Not be Entitled to Release Upon Promise to Appear
- 9.2204 Traffic Violations Noncriminal - Exceptions - Procedures
- 9.2205 Administrative Hearing - Procedures - Appeals - Stay Orders
- 9.2206 Failure to Appear, Pay Statutory Fee, Post Bond - Procedure - Penalty
- 9.2207 Offenses Excepted
- 9.2208 Amount of Statutory Fees
- 9.2209 "Nonmoving Violation" Defined
- 9.2210 "Moving Violation" Defined
- 9.2211 General Penalty for Violation of Chapter
- 9.2212 Notification of Parents or Guardians of Juvenile Traffic Offenders

ARTICLE 23 - Sections not Adopted (Page 150)

ARTICLE 24 - Filing of Ordinance (Page 150)

ARTICLE 25 - Adoption of Amendments by Reference (Page 150)

ARTICLE 26 - Severability Clause (Page 150)

ARTICLE 27 - Penalties (Page 150)

**CHAPTER NINE  
TRAFFIC**ARTICLE 1 – DEFINITIONS9.0101 Definitions

Words and phrases used in this chapter shall have the meaning and be defined as provided in the North Dakota Century Code in Title 39, and NDCC Section 39-01-01 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

ARTICLE 2 – TRAFFIC ADMINISTRATION9.0201 Duty of Police Department

It shall be the duty of the police department to enforce the street traffic regulations of this City and all of the state vehicle laws, to make arrests for traffic violations, to investigate accidents and to cooperate with the city traffic engineer and other officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out the traffic ordinances of this City.

9.0202 Records of Traffic Violations

1. The police department shall keep a record of all violations of the traffic ordinances of this City or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.
2. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of such form.
3. All such records and reports shall be public record.

9.0203 Police Department to Investigate Accidents

It shall be the duty of the police department to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

Every law enforcement officer, who in the regular course of duty investigates a motor vehicle accident required to be reported as provided in Section 9.0309 either at the time and at the scene of the accident or thereafter by interviewing the participants, or witnesses, shall make and forward promptly a written report of such accident to the director of the North Dakota Department of Transportation.

ARTICLE 3 – ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS9.0301 Authority of Police and Fire Department Officials

1. It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this City and all of the state vehicle laws.
2. Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
3. Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

9.0302 Obedience to Traffic Ordinances

It shall be unlawful for any person to do any act forbidden or fail to perform any act required by the provisions of this Chapter, and upon conviction of a violation of any of the provisions of this Chapter every person, firm or corporation shall be punished as provided in Article 27 of this Chapter.

9.0303 Obedience to Police Officers or Firemen

No person shall willfully refuse to comply with any lawful order or direction of any police officer or fireman invested by law with authority to direct, control, or regulation traffic.

9.0304 Certain Non-motorized Traffic to Obey Traffic Regulations

1. Every person propelling any pushcart upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance and by the rules of the road portion of the state vehicle code, except those provisions which by their very nature can have no application.
2. Every person riding a bicycle or an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance, except those provisions of this ordinance which by their very nature can have no application.

9.0305 Use of Coasters, Roller Skates and Similar Devices Restricted

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized herein.

9.0306 Public Employees to Obey Traffic Regulations

The provisions of this ordinance shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, town, district, or any other political subdivision or the state, subject to such specific exceptions as are set forth in this ordinance or in the state vehicle code.

9.0307 Emergency Vehicles

The provisions of NDCC Sections 39-10-03, 39-10-03.1, and 39-10-03.2 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0308 Operation of Vehicles on Approach of Authorized Emergency Vehicles

The provisions of NDCC Section 39-10-26 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0309 Written Report of Accident

The provisions of NDCC Section 39-08-09, 39-08-10, 39-08-11, 39-07-12, 39-07-13 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

ARTICLE 4 – TRAFFIC CONTROL DEVICES9.0401 Authority to Install

The city engineer or any person authorized by the governing body shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of this City to make effective the provisions of said ordinances, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this City or under state law, or to guide or warn traffic.

9.0402 Specifications for

All traffic-control signs, signals, and devices shall conform to the specifications approved by the director of the North Dakota Department of Transportation pursuant to NDCC Section 39-13-06. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the City. All traffic-control devices so erected and not inconsistent with the provisions of state law or this article shall be official traffic-control devices.

9.0403 Obedience to Traffic-Control Devices

The provisions of North Dakota Century Code Section 39-10-04 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0404 Unauthorized Signs

The provisions of North Dakota Century Code Section 39-10-07.2 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0405 Interference with Official Traffic Control Device or Sign

The provision of North Dakota Century Code Section 39-10-07.3 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

9.0406 Designation of Walks, Lanes, etc.

The city engineer or any person authorized by the governing body shall:

1. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as directed by the governing body.
2. Establish safety zones of such kind and character and at such places as may be deemed necessary for the protection of pedestrians as determined by the governing body.
3. Mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement or performing other lawful traffic movements.

ARTICLE 5 – SPEED REGULATIONS AND CARE REQUIRED9.0501 Basic Rules – Penalty for Violation

The provisions of North Dakota Century Code Section 39-09-01 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0502 Speed Limitations

The provisions of North Dakota Century Code Section 39-09-02 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0503 When Local Authorities May or Shall Alter Maximum Speed – Limits – Signs Posted

The provisions of North Dakota Century Code Section 39-09-03 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0504 Speed Limitations Inapplicable to Whom – Liability of Exempt Driver for Reckless Driving

The provisions of North Dakota Century Code Section 39-09-06 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0505 Minimum Speed Limits

The provisions of North Dakota Century Code Section 39-09-09 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0506 Regulations of Speed by Traffic Signals

The City traffic engineer or authorized person may regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

9.0507 Exhibition Driving and Drag Racing – Definitions – Penalty

The provisions of North Dakota Century Code Section 39-08-03.1 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0508 Radar Evidence in Speed Violations

The provisions of North Dakota Century Code Section 39-03-15 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0509 Care Required in Operating Vehicle

The provisions of North Dakota Century Code Section 39-09-01.1 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

ARTICLE 6 – TURNING MOVEMENTS

9.0601 Required Position and Method of Turning

The provisions of North Dakota Century Code Section 39-10-35 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0602 Vehicle Turning Left

The provision of North Dakota Century Code Section 39-10-23 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0603 Limitations on Turning Around

The provision of North Dakota Century Code Section 39-10-36 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0604 Turning Movements and Required Signals

The provision of North Dakota Century Code Section 39-10-38 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0605 Signals by Hand and Arm or Signal Lamps

The provisions of North Dakota Century Code Section 39-10-39 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0606 Methods of Giving Hand and Arm Signals

The provisions of North Dakota Century Code Section 39-10-40 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

All signals herein required given by hand and arm must be given from the left side of the vehicle in the following manner and such signals must indicate as follows:

Left turn: hand and arm extended horizontally;

Right turn: hand and arm extended upward;

Stop or decrease speed: hand and arm extended downward.

ARTICLE 7 – SPECIAL STOPS

9.0701 Authority to Designate Through Streets

The provision of North Dakota Century Code Section 39-07-03 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0702 Through Streets Designated

The following streets and parts of streets are hereby declared to be through streets for the purpose of this chapter:

7<sup>th</sup> Street (Highway 1); Truck Route; Fir Avenue

9.0703 Signs

All traffic control devices shall conform to state specifications.

9.0704 Stop Signs and Yield Signs

The provisions of North Dakota Century Code Sections 39-10-24 and 30-10-44 shall be and are hereby incorporated in this ordinance.

9.0705 Emerging from Alley or Driveway

The provisions of the North Dakota Century Code Section 39-10-45 and 39-10-68 and all subsequent amendments shall be and are hereby incorporated in this ordinance.

9.0707 Obedience to Signal Indicating Approach of Train

The provision of North Dakota Century Code Section 39-10-41 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.