ORDINANCE NO. 6388

AN ORDINANCE TO AMEND TITLE 9 "TRAFFIC" OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING "CHAPTER 9.04.010 – DEFINITIONS".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Title 9 "Traffic" of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended to read as follows:

9.04.010 - Definitions.

For the purposes of this title, the following words, terms, and phrases shall have the following meanings:

(1) "Authorized emergency vehicles" means vehicles of the fire department, police department, ambulances, and emergency vehicles owned by the United States, the State of Iowa, any subdivision of the State of Iowa, or the City of Council Bluffs, Iowa, and privately owned vehicles as are designated or authorized by the director of transportation under Section 321.451 of the Iowa Code.
(2) "Business district" means any area of the city not zoned residential or agricultural.
(3) "Crosswalk" means that portion of a roadway ordinarily included within the prolongation or connection of curb and property lines at intersections, or other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.
(4) "Controlled-access facilities" means a highway which gives preference to through traffic by providing access connections at interchanges with selected public roads only and by prohibiting crossings at grade or direct access at driveway connections.
(5) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more streets or highways which join one another at angle, whether or not one such street or highway crosses the other.
(5) "Motor vehicle" means a vehicle which is self-propelled, but not including vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires and are not operated upon rails.
(7) "Official parking and traffic signs" means all signs, markings and devices, other than signals, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of guiding, directing, warning or regulating traffic and parking.
(8) "Official traffic signals" means all signals, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing, warning or regulating traffic.
(9) "Operator" means every person who operates or is in actual physical control of a vehicle;
(10) "Parking" means the standing of a vehicle, whether occupied or not, upon a roadway, other than temporarily, for the purpose of and while actually engaged in loading and unloading, or in obedience to traffic regulations or traffic signs or signals.
(11) "Peace officer" means every officer of the police department or any officer authorized to direct or regulate traffic, or to make arrests for violation of traffic regulations.
(12) "Pedestrian" means any person afoot.

(13) "Person" means an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.
(14) "Private road or driveway" means every road or driveway not open to the use of the public for the purposes of vehicular travel.
(15) "Right-of-way" means the privileges of the immediate use of the street or highway.
(16) "Roadway" means that portion of the street or highway improved, designed, or ordinarily used for vehicular travel, and does not include sidewalks or any other area of public property between the roadway portion of the street or highway and the abutting private property line.
(17) "Sidewalk" means that portion of a street between the curb lines and the adjacent property lines.
(18) "Snowmobile" means any self-propelled vehicle designed for travel on snow, ice, or natural terrain, steered by wheels, skis or runners.
(19) "Street" or "highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.
(20) "Traffic" means pedestrian, ridden, or herded animals, vehicles, buses or other conveyances, either singly or together, while using any street for purposes of travel.
(21) "Traffic control signal" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.
(22) "Vehicle" means any device in, upon, or by which any person or property is or may be transported or drawn upon a public street or highway, except devices used exclusively upon stationary rails or tracks.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND June 24, 2019.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 6-10-19
Second Consideration: 6-24-19
Public Hearing: N/A
Third Consideration: _____