

CHAPTER 71: TRAFFIC RULES

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OPERATION GENERALLY

§ 71.01 OBSTRUCTING TRAFFIC.

(A) It shall be unlawful to operate any vehicle or permit it to remain standing in any street in such manner as to create an obstruction thereof.

(B) It shall be unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

(C) Any intersection deemed by the Chief of Police to be of special or critical importance to the movement of traffic shall be caused by him to be marked in such distinctive manner as to indicate such importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he shall be deemed to have violated this division rather than division (B) above.
Penalty, see § 70.99

§ 71.02 REVERSE OR U TURNS.

No vehicle shall be turned so as to proceed in the opposite direction within an intersection or upon any street in a business district or where authorized signs are erected to prohibit the movement or at any other location unless the movement can be made with reasonable safety to other users of the street and without interfering with the safe operation of any traffic that may be affected by such movement.
Penalty, see § 70.99

§ 71.03 BACKING VEHICLES.

It shall be unlawful for the operator of any vehicle to back the vehicle at any intersection for the purpose of executing a turning movement. A vehicle from any parking position shall be backed by the operator in such a manner as to proceed on the same side of the roadway in the lawful direction of travel.
Penalty, see § 70.99

§ 71.04 VEHICLES CROSSING SIDEWALKS.

(A) It shall be unlawful for the operator of any vehicle to drive within any sidewalk space except at a permanent or temporary driveway or by special permit from the Chief of Police.

(B) It shall be unlawful for the operator of any vehicle to drive the vehicle out of any alley, driveway, building, or lot and across a sidewalk, or its extension across the alley, unless the vehicle has been

brought to a complete stop immediately prior to crossing the sidewalk or its extension. On entering the roadway from the alley, driveway, or building the operator shall yield the right-of-way to all vehicles approaching on the roadway. The operator of any vehicle intending to cross a sidewalk and turn into an alley from the roadway may do so at low speed and with caution.

Penalty, see § 70.99

ACCIDENTS

§ 71.15 DUTY OF OPERATOR.

It shall be the duty of the owner of, operator of, or passenger in any motor vehicle which is involved in an accident in which any person is injured or property damaged to stop immediately and ascertain the extent of the injury or damage and render such assistance as may be needed.

Penalty, see § 70.99

Statutory reference:

Duty in case of accident, see KRS 189.580

§ 71.16 ACCIDENT REPORT.

The operator, owner, or passenger involved in an accident resulting in the injury or death of any person, or an accident in which property is damaged, shall immediately report the accident or property damage to the Police Department.

Penalty, see § 70.99

PROHIBITIONS

§ 71.25 INJURY TO STREET BY VEHICLES.

It shall be unlawful to operate any vehicle so constructed or so loaded as to do injury to the surface of the street.

Penalty, see § 70.99

§ 71.26 FOLLOWING EMERGENCY VEHICLES; DRIVING OVER FIRE HOSE.

(A) It shall be unlawful for the operator of any vehicle not on official duty to follow an authorized emergency vehicle, traveling in response to a fire alarm or other emergency, closer than 200 feet, or to park any vehicle within a block in any direction of the location where these vehicles are responding to a fire alarm.

(B) No person shall drive any vehicle over any fire hose or interfere in any way with the operation of the volunteer Fire Department, its apparatus, or its equipment or the activities of its members either at fires, other emergencies, or at drills.

(Ord. passed 11-10-52)

Penalty, see § 70.99

§ 71.27 SMOKE EMISSION.

It shall be unlawful to operate any vehicle in such manner as to cause it to emit unnecessary smoke, gas, or vapor.

Penalty, see § 70.99

§ 71.28 OBJECTS WITHIN RIGHT-OF-WAY.

(A) No person, firm, or corporation shall place or cause to be placed any fence, shrub, building, or other fixed object within right-of-way of any public street, alley, or public way within the city limits without first obtaining a permit therefor from the City Building Inspector.

(B) No such permit shall be granted unless a written application therefor be submitted to the City Building Inspector with a scaled drawing of the proposed construction or planting.

(C) No such permit shall be granted unless the City Building Inspector shall first find that such structure or planting will not in any way hamper, impede, or endanger the flow of traffic on such street or way, and further that such structure or planting will improve the street or way or its appearance.

(D) Any vehicle, building, shrub, or fence found within the right-of-way of any public street, alley, or public way, or municipality owned parking lot of the city may be removed at the expense of the owner or person having control thereof by the city police or other employees or agents of the city and on conviction, the owner or person having control thereof shall pay to the city in addition to any fine and court cost imposed, the cost of removal and storage.

(Ord. 110, passed 12-4-67)

FUNERAL PROCESSIONS

§ 71.30 FUNERAL PROCESSIONS.

(A) A vehicle in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is led by an escort vehicle displaying flashing yellow, red, or blue lights, except:

(1) When the right-of-way is required by an emergency vehicle as defined by KRS 189.910;

(2) When vehicles in the procession are directed otherwise by a police or safety officer; or

(3) When the vehicle is a train or locomotive.

(B) Before assuming the right-of-way, a person who drives a vehicle in a funeral procession shall exercise due caution with regard to crossing traffic.

(C) A person who drives a vehicle that is not part of a funeral procession shall not drive the vehicle between the vehicles of the funeral procession or otherwise interfere with the progress of the procession, except when:

(1) The person is authorized to do so by a police or safety officer; or

(2) The vehicle is an emergency vehicle as defined by KRS 189.910.

(D) A person who drives a vehicle that is not part of a funeral procession shall not illuminate the vehicle headlights or engage in any other act for the purpose of securing the right-of-way granted to funeral processions.

(E) The escort vehicle, hearse, or other vehicles in a procession may be equipped with flashing amber lights for the purpose of notifying the general public of the procession and gaining the right-of-way at intersections or signaling the end of a procession.

(F) Persons authorized to use flashing lights as defined in KRS 189.920 may use them while accompanying a funeral procession to warn traffic that a procession is approaching or that it is in progress.

(G) When a funeral procession is in progress, a person driving a vehicle not in the procession shall not pass or overtake any vehicle in the procession unless:

(1) The person is directed to do so by a police or safety officer;

(2) The procession is on a street, road, or highway outside the corporate limits of a city, town, or urban-county; or

(3) The procession is on an interstate highway or a state parkway.
(KRS 189.378) Penalty, see § 70.99(C)

PARADES

§ 71.40 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"CRUISING." The repeated operation of two or more vehicles in a continuous or nearly continuous flow through a parking lot.

"PARADE." Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city, or "CRUISING" as defined herein.

"PARADE PERMIT." A permit required by this subchapter.

"PARKING LOT." Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers, but shall not include those operated for hire as defined in KRS 189.700.

§ 71.41 PERMIT REQUIRED.

(A) No person or persons shall engage in, participate in, aid, form, or start any parade unless a parade permit has been obtained from the Chief of Police.

(B) This subchapter shall not apply to:

(1) Funeral processions;

(2) Students going to and from school classes or participating in educational activities, providing the conduct is under the immediate direction and supervision of the proper school authorities;

(3) A governmental agency acting within the scope of its functions.

Penalty, see § 70.99

§ 71.42 APPLICATION FOR PERMIT.

A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by such officer.

(A) Filing period. An application for a parade permit shall be filed with the Chief of Police not less than five days or not more than 60 days before the date on which it is proposed to conduct the parade.

(B) The application for a parade permit shall set forth the following information:

(1) The name, address, and telephone number of the person seeking to conduct the parade;

(2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(3) The name, address, and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

(4) The date when the parade is to be conducted;

(5) The route to be traveled, the starting point, and the termination point;

(6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;

(7) The hours when the parade will start and terminate;

(8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;

(9) The location by street of any assembly area for the parade;

(10) The time at which units of the parade will begin to assemble at any such assembly area or areas;

(11) The interval of space to be maintained between units of the parade;

(12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file with the Chief of Police a communication in writing from the person authorizing the applicant to apply for the permit on his behalf;

(13) Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should issue.

(C) There shall be paid at the time of filing an application for a parade permit a fee of \$3.50
Penalty, see § 70.99

§ 71.43 STANDARDS FOR ISSUANCE OF PERMIT.

The Chief of Police shall issue a permit when, from a consideration of the application and from other information obtained, he finds that:

(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;

(C) The conduct of the parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto;

(D) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the parade will not interfere with the movement of fire fighting equipment enroute to a fire;

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute;

(G) The parade is not to be held for the sole purpose of advertising any product, goods, or event, and is not designated to be held purely for private profit;

(H) The parade, if it takes the form of cruising, has the approval in writing of the owner or an authorized agent of the owner for the use of the parking lot which is the site of the parade. Penalty, see § 70.99

§ 71.44 NOTICE OF REJECTION OF PERMIT.

The Chief of Police shall act on the application for a parade permit within three days, Saturdays, Sundays, and holidays excepted, after filing thereof. If he disapproves the application, he shall mail to the applicant within the three days, Saturdays, Sundays, and holidays excepted, after the date on which the application was filed, a notice of his action stating the reasons for his denial of the permits.

§ 71.45 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the legislative body. The appeal shall be taken within 30 days after notice. The legislative body shall act on the appeal within 30 days after its receipt.

§ 71.46 ALTERNATIVE PERMIT.

The Chief of Police, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall, within three days after notice of the action of the Chief of Police, file a written notice of his acceptance with the Chief of Police. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

§ 71.47 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, the Chief of Police shall send a copy thereof to the following persons:

- (A) The Mayor;
- (B) The City Attorney;
- (C) The Fire Chief;

(D) The general manager or responsible head of each public utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.

§ 71.48 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

- (A) Starting time;

(B) Minimum speed;

(C) Maximum speed;

(D) Maximum interval of space to be maintained between the units of the parade;

(E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;

(F) The maximum length of the parade in miles or fractions thereof;

(G) Such other information as the Chief of Police shall find necessary to the enforcement of this subchapter.

Penalty, see § 70.99

§ 71.49 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairman or other person heading or leading the activity shall carry the parade permit on his person during the conduct of the parade.

Penalty, see § 70.99

§ 71.50 PUBLIC CONDUCT DURING PARADES.

(A) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in a parade.

(B) Driving through parades. No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(C) Parking on parade route. The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of a parade. The Chief of Police shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street or other public thoroughfare unposted in violation of this subchapter.

Penalty, see § 70.99

§ 71.51 REVOCATION OF PERMIT.

The Chief of Police shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

EQUIPMENT AND LOADS

§ 71.60 PNEUMATIC OR SEMIPNEUMATIC TIRES.

(A) No person, firm, or corporation shall operate or permit to be operated, on or over any public street, road, or alley maintained by the city, any vehicle or other contrivance unless the same be wholly supported on pneumatic or semipneumatic tires, which tires shall have a width in contact with the road surface equal to or in excess of one inch for each 400 pounds of weight of such vehicle or contrivance and its load.

(B) Any person violating this section shall pay to the city all damage occasioned by such violation.

(Ord. 137, passed 9-7-71) Penalty, see § 70.99

§ 71.61 WEIGHT DISTRIBUTION.

(A) No person, firm or corporation shall operate or permit to be operated any vehicle or other contrivance over any public street, road, or alley maintained by the city if the weight distribution of such vehicle or contrivance is such that the weight thereof exceeds 400 pounds per inch of width of the tire in contact with the surface of such street, alley, or road.

(B) Any person violating this section shall be guilty of a misdemeanor and shall pay to the city all damage occasioned by such violation.

(Ord. 137, passed 9-7-71) Penalty, see § 70.99

TRUCK TRAFFIC ON RESIDENTIAL STREETS

§ 71.70 DEFINITIONS.

As used in this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"PERSON." Any person, firm, partnership, entity, association, corporation, company or organization of any kind.

"RESIDENTIAL STREETS." Those streets or portions of streets listed below:

James Avenue
Southern Drive
Blanch Avenue
Tracey Lane

Kelley Street
Garnett Street
LaPine Drive
Lake Street

Lakeview Drive
Webb Park Drive
Sunset Drive
High Street
Roselawn Drive
Regency Court
Sunrise Court

Cynthiana Street
Charlotte Heights
Ridgelea Drive
Summit Avenue
Waterworks Road
Colonial Court

Crestvie

w Drive Mill Street

"SEMI-TRAILER." A vehicle designed to be attached to, and having its front end supported by, a motor truck or truck tractor, intended for the carrying of freight, merchandise, or materials of any kind and having a load capacity of over 1,500 pounds, excepting gooseneck(s) or livestock trailers.

"TRUCK" or "TRUCKS". Includes those vehicles described as truck- tractor or semi-trailer herein.

"TRUCK-TRACTOR." Motor propelled vehicle intended for the carriage of freight, merchandise or materials of any kind with a load capacity in excess of 4,000 pounds or designed to draw and to support the front end of a semi-trailer.

(Ord. 1995-19, passed 10-2-95; Am. Ord. 2001-14, passed 8-21-01)

§ 71.71 TRUCK TRAFFIC PROHIBITED ON RESIDENTIAL STREETS.

It shall be unlawful for any person to operate any truck on any residential street in the city,

(Ord. 1995-19, passed 10-2-95; Am. Ord. 2001-14, passed 8-21-01)

§ 71.72 EXCEPTIONS.

This subchapter shall not prohibit:

(A) Operations on street of destination. The operation of trucks upon any residential street where necessary to the conduct of business at a residential destination point on such residential street or where it is necessary to travel on residential streets to reach a business destination point on such street, provided that in so using residential streets, trucks shall travel to and from the business destination point by the shortest possible route or utilize non-prohibited streets and/or access roads where available as used in the foregoing paragraph when "conducting business at a residential destination point" and "conducting business at a business destination point." It shall not include parking of trucks on any residential premises or residential street.

(B) Emergency vehicles. The operation of emergency

vehicles upon any street in the city.

(C) School buses or school vehicles. The operation of school buses or school vehicles upon any street in the city.

(D) Public utilities. The operation of trucks owned or operated by the City, public utilities, any contractor or material man, while engaged in the repair, maintenance or construction of streets, street improvements, or utilities within the City.

(E) Detoured trucks. The operation of trucks upon any officially established detour.

(Ord. 1995-19, passed 10-2-95; Am. Ord. 2001-14, passed 8-21-01)

§ 71.73 SIGNS TO BE POSTED.

The city shall cause signs to be posted to give notice of the truck traffic prohibition of this subchapter. Such signs shall be placed on residential streets in the City at the points where residential streets intersect with other streets and shall indicate that trucks are prohibited from entering the residential street. (Ord. 1995-19, passed 10-2-95; Am. Ord. 2001-14, passed 8-21-01)

§ 71.74 PENALTIES.

(A) Any person violating any provision of this subchapter shall be guilty of a misdemeanor and upon conviction, shall be punished by a fine not to exceed \$500 or by imprisonment as set forth in KRS 534.040 and KRS 532.090(a). Each violation, each day and every other failure to comply with the provisions of this subchapter shall be a separate and distinct offense.

(B) The offender shall be subject to a civil penalty of \$100 for each offense, which shall be recovered by the city in a civil action in the nature of debt if not paid by the offender within 30 days after citation for the violation or other failure to comply with the provisions of this subchapter.

(Ord. 1995-19, passed 10-2-95; Am. Ord. 2001-14, passed 8-21-01)