

# TRAFFIC

## CHAPTER 18

### Article 1. In General

#### Sec. 18-1. Reserved.

#### Sec. 18-2. General Powers and Duties of City Manager Relative to Traffic.

The city manager shall be responsible to the city council for the enforcement of all traffic ordinances and regulations, and shall recommend to the city council, for its approval, ways and means to improve traffic conditions. He shall have authority to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make effective and enforce temporary regulations covering emergency or special conditions. (Ord. of 8-12-58, §4(1), (2E))

#### Sec. 18-3. Duty of Police to Enforce Traffic Regulations.

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 traffic laws of the city and all of the state vehicle laws applicable to traffic in the city. (Ord. of 8-12-58, §§3(2), 5(1))

#### Sec. 18-4. Authority of Police Officers to Direct Traffic.

Such police officers as are assigned by the chief of police are hereby authorized to direct all traffic 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 not withstanding the provisions of the traffic law. (Ord. of 8-12-58, §3(2))

#### Sec. 18-5. Authority of Officers of Fire Department to Direct Traffic.

- (1) Fire Department. Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic there at or in the immediate vicinity.
- (2) Municipal Services Division, engineering/Utility Division. Employees of the Municipal Services Division and Engineering/Utility Division, when at a project site, may direct or assist the Police in directing traffic.
- (3) Any person who disobeys a lawful direction of a person directing traffic in subsections A&B shall be guilty of a misdemeanor subject to a fine of not less than \$25.00 or more than \$200.00. (Ord. of 8-12-58, §5(1) Ord. of 02-11-97)

#### Sec. 18-6. Metal Tires. Lugs. Etc.

No person shall pull, drive, run or propel any vehicle that has corrugated metal tires or tires with lugs or spikes upon or over any street of the city which is paved or constructed with asphalt, brick or concrete. (Ord. of 8-12-58, §8(30))

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### **Sec. 18-7. Vehicle Loads Not to Drop, Sift, Leak, Etc.**

No person shall operate any vehicle upon a highway or street unless such vehicle is so constructed or laden as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom. (Ord. Of 8-12-58, §8(28))

### **Sec. 18-8. Use of Coasters, Etc. on Roadway.**

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 the rights and shall be subject to all of the duties applicable to pedestrians. (Ord. of 8-12-58, §8(9))

### **Sec. 18-9. Boarding or Alighting from Moving Vehicles.**

No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. of 8-12-58, §10(6))

### **Sec. 18-10. Riding on Portion of Vehicle.**

No person shall ride on any vehicle or upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to employees engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise. (Ord. of 8-12-58, §10(7))

### **Sec. 18-11. Quiet Zones.**

The city manager is hereby authorized to establish zones of quiet at places where a person is seriously ill, if requested so to do by the written statement of at least one registered physician certifying to the necessity thereof. Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle shall sound the horn or other warning device of such vehicle except in an emergency. (Ord. of 8-12-58, §§(3E), 6(3))

### **Sec. 18-12. Permit for Assemblages. Etc.**

It shall be unlawful for any person to conduct or participate in any assemblage, parade or procession, other than a funeral procession, upon any street except upon a permit issued by the police officer in charge of traffic under the supervision of the chief of police. Application for such permits shall be obtained from the chief of police not less than twelve (12) hours before the time for such assemblage, parade or procession. Such permit or an order accompanying it shall designate the place of gathering or formation and of travel, and the streets or portions of streets, which may be used or occupied therein. (Rod. of 8-12-58, §9(1))

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### Sec. 18-13. Funeral Processions.

- (A) All funeral processions shall move upon and through the public streets of the city as expeditiously as possible, with due regard to custom and traffic conditions and shall be led or piloted by the undertaker or by his duly authorized agent or representative, and there shall be displayed in conspicuous manner on the vehicle leading or piloting such procession a standard funeral procession flag of substantial material. Such flag shall be displayed, unfurled, by the lead or pilot car from the starting point of such procession until the same has arrived at the cemetery, if in the city limits, or until the city limits are passed.
- (B) Every automobile in a funeral procession, including the lead or pilot car, shall have its headlights burning from the starting point of such procession until the same has arrived at the cemetery, if in the city limits, or until the city limits are passed.
- (C) When a traffic signal changes to "red" while a funeral procession is passing the same, the procession shall continue moving and cross-traffic shall stop until the entire procession has passed such signal. (Ord. of 8-12-58, §9(3))

### Sec. 18-14. Accident Reports.

The police department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed by date of accident. Such reports shall be available for the use and information of the traffic engineer. (Ord. of 8-12-58, §3(7))

### Sec. 18-15. Notice to Appear in Court: Promise to Appear.

Whenever a person is arrested for any violation of the chapter, and such person is not immediately taken before a magistrate, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the license number of the vehicle, if any, the offense charged, and the time, place, when and where such person shall appear in court. Provided, however, that the offense of speeding shall be the only offense making mandatory the issuance of a written notice to appear in court, and only then if the arrested person gives his written promise to appear in court, by signing in duplicate the written notice prepared by the arresting officer; and provided further that it shall not be mandatory for an officer to give a written notice to appear in court to any person arrested for the offense of speeding when such person is operating a vehicle licensed in a state or country other than the State of Texas, except as provided by the Non-Resident Violator Compact of 1979 (Article 6701d-23).

### Sec. 18-16. Records of Traffic Violations.

The police department shall keep a record of all violations of the traffic ordinances of the city or of the state vehicle laws of which any person has been charged and given notice to appear before the corporation court, together with a record of the final disposition of all such alleged offenses. Such records shall be so maintained as to show all types of violations and the total of each. Such records shall accumulate during at least a two-year period and from that time on the record shall be maintained complete for at least the most recent two-year period. All forms for

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records 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 all such forms. (Ord. of 8-12-58, §3(4))

### **Sec. 18-17. Annual Traffic Report.**

The police department shall annually prepare a traffic report which shall be filed with the city manager. Such reports shall contain information on traffic matters in this city as follows:

- (A) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data.
- (B) The number of traffic accidents investigated and other pertinent data on the safety activities of the police.
- (C) The plans and recommendations of the department for future traffic safety activities. (Ord. of 8-12-58, §3(9))

### **Sec. 18-18. Conflicts Between Chapter and State Law or State and Federal Rules, Regulations, Etc.**

If there is a conflict between any of the provisions of this chapter and the Uniform Act Regulating Traffic on Highways, and enacted by the 50th Legislature of Texas in 1947, as amended, or any orders, rules, regulations and requirements of the Interstate Commerce Commission or the Railroad Commission of Texas, compliance by the owners or operators of vehicles with such statutes, orders, rules and regulations of the Interstate Commerce Commission and the Railroad Commission of Texas shall be deemed in compliance with this chapter, except that any requirement of this chapter, in addition to, but not in conflict with, such statute of the requirements of the Interstate Commerce Commission or the Railroad Commission shall be complied with. (Ord. of 8-12-58, §11(3))

### **Sec. 18-19. Fire Lanes.**

- (A) Fire lanes shall be provided as required by the Fire Department of the City of Big Spring, Texas.
- (B) Fire lanes shall be at least 20 ft. (6m) in width with the road edge closest to the structure at least 10 ft. (3m) from the structure.
- (C) Fire lanes shall be marked with free standing signs or marked curbs or sidewalks or other traffic surfaces that have the word "Fire Lane - No Parking" painted in contrasting colors at the size and spacing approved by the Fire Department.
- (D) Fire lanes connecting to public streets, roadways, or private streets shall be provided with curb cuts extending at least 2 ft. (0.6m) beyond each edge of the fire lane.

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- (E) The designation and maintenance of fire lanes on private property shall be accomplished as specified by the Fire Department .
- (F) Parking lot lanes shall have a minimum of 25 ft. (7.5m) clear width between rows of parked vehicles for vehicular access and movement.
- (G) Parking a vehicle in a fire lane is prohibited.
- (H) The local law enforcement officers must be given written legal authority to enforce parking regulations, or property management must be prepared to enforce these regulations with their own personnel, including the towing of vehicles as may be necessary.
- (I) A violation of any provisions of Section 18-19 shall be punishable by a fine not to exceed \$1,000.00.
- (J) Fire lanes shall be maintained free of all obstructions at all times. (Ord. of 12-14-93)

### **Sec. 18-20. Jake Brakes Prohibited.**

It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the city limits of the City of Big Spring, any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle. (Ord. of 6-28-05)

### **Sec. 18-21. Penalty.**

Unless a specific section of this article provides for a different penalty, any person, firm, partnership or corporation who shall violate any provision of this article shall be guilty of a misdemeanor and upon conviction may be fined not less than \$1.00 or more than \$200.00; provided further, no penalty shall be greater of less than the penalty provided for the same or similar offense under the laws of the state. Each day the violation occurs or continues shall constitute a separate offense. (Ord. of 6-28-05)

### **Sec. 18-22. Definitions.**

For the purpose of this section, compressed release type braking system shall mean any devices equipped on certain type commercial vehicles, including but not limited to, tractors, semi-trucks, motor carries and buses that utilizes engine compression release or engine retarders as a means of slowing or braking the speed of the vehicle in lieu of applying to clutch or brakes. The term “emergency situation” for the purpose of this ordinance, shall mean one in which there is imminent danger of collision with property, persons or animals. (Ord. of 6-28-05)

### **Sec. 18-23 to 18-42. Reserved.**

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### Article 2. Traffic Commission.

**Sec. 18-43 to 57. Repealed in its Entirety.**

(Ord. of 5-24-60, Art. 1, Ord. of 8-27-74, Ord. of 9-18-90, Ord. of 2-27-01, Ord. of 12-14-10)

**Sec. 18-58 to 18-71. Reserved.**

### Article 3. Operation of Vehicles Generally

**Sec. 18-72. Speed Limits - Generally.**

No person shall drive a vehicle upon any street or highway in the city at a speed greater than is reasonable and prudent under the circumstances then existing. Unless otherwise designated by ordinance, the prima facie maximum reasonable and prudent speed for city streets shall be thirty (30) miles per hour (mph). Except when a special hazard exists that requires lower speeds, the limits specified in this article shall be lawful, but the speed in excess of the limits specified in this article shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

Any person who shall operate a vehicle upon the streets and highways of the city at a speed greater than is reasonable and prudent under the circumstances then existing shall, upon conviction, be fined not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00).

**Sec. 18-73. Speed Limits in School Zones.**

The following described locations or areas within the City of Big Spring are hereby designated "school zones" and no person shall drive a motor vehicle in any direction within said areas or locations at a speed greater than is reasonable or prudent under the circumstances then existing. The speed limit specified hereinafter shall be lawful, but any speed in excess of the limit so specified during the hours set forth hereinafter for each location or area shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful, on the days school is in session.

(A) Bauer Elementary School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

- (1) On Scurry Street from a point 155' north of the north right-of-way line of North 10<sup>th</sup> Street to the south right-of-way line of North 9<sup>th</sup> Street.
- (2) On North 10<sup>th</sup> Street from a point 150' east of the east right-of-way line of Gregg Street to the east right-of-way line of Scurry Street.

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(3) On North 9<sup>th</sup> Street from a point 157' east of the east right-of-way line of Gregg Street to a point 130' west of the west right-of-way line of Runnels Street.

(B) College Heights Elementary School and Goliad Middle School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

(1) On Goliad Street from a point 15' north of the north right-of-way line of 22<sup>nd</sup> Street to a point 187' south of the south right-of-way line of 18<sup>th</sup> Street.

(2) On 18<sup>th</sup> Street from a point 160' east of the east right-of-way line of Benton Street to a point 84' west of the west right-of-way line of Nolan Street.

(C) Kentwood Elementary School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

(1) On Merrily Drive from the west right-of-way line of Ann Drive to the west right-of-way line of Shirley Drive.

(D) Lakeview Elementary School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

(1) On Channing Street from a point 506' north of the north right-of-way line of 4<sup>th</sup> Street to the south right-of-way line of 7<sup>th</sup> Street.

(2) On 7<sup>th</sup> Street from the east right-of-way line of Wyoming Street to the east right-of-way line of Channing Street.

(E) Marcy Elementary School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

(1) On Connally Street from a point 160' north of the north right-of-way line of Cecilia Street to the south right-of-way line of Wasson Road.

(2) On Wasson Road from a point 300' east of the east right-of-way line of Randolph Blvd. to a point 265' west of the west right-of-way line to Navajo Street.

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(F) Moss Elementary School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

- (1) On Baylor Street from a point 115' south of the south right-of-way line of Fordham Street to the south right-of-way line of Green Briar Street.
- (2) On Fordham Ave. from a point 15' west of the east right-of-way line of Baylor Street to a point 15' of the east right of way line of Marquette Ave.
- (3) On Kent Ave. from the north right-of-way line of Greenbrier Ave. to the south right-of-way line of Fordham Ave.
- (4) On Marquette Ave. from north right-of-way line of Greenbrier Ave. to 15' south of the south right-of-way line of Fordham Ave.
- (5) On Greenbrier Ave. from a point 15' west of the east right-of-way line of Baylor Blvd. to a point east of the east right-of-way line of Marquette Ave.

(G) Washington Place Elementary School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m. (Ord. of 10-22-91)

- (1) On Birdwell Lane from a point 197' north of the north right-of-way line of South Monticello Street to a point 55' north of the north right-of-way line of North Monticello Street. (Ord. 89-83, 11-25-83, §1)
- (2) On North Monticello Street from a point 90' west to the west right-of-way line of College Avenue to the east right-of-way line of Birdwell Lane.

(H) Big Spring High School.

A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.

- (1) On 10th Street from a point 379' east of the east right-of-way line of Goliad Street to a point 236' west of the west right-of-way line of State Street.
- (2) On 11th Place from a point 114' east of the east right-of-way line of Goliad Street to the west right-of-way line of Young Street.

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- (3) The City Manager is hereby authorized and directed to add Speed Limit of 20 mph, same hours of all School Zones, to Owens Street between Eighth and Tenth Street
- (I) New Hope Christian School.  
A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.
- (1) On Cedar Road from a point 78' west of the west right-of-way line of Mountain Park Drive to 581' east of the east right-of-way line of Indian Hills Drive.
- (J) Big Spring Junior High School.  
A speed limit of 20 mph from 7:30 o'clock a.m. to 9:00 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m..
- (1) On Sixth Street from a point 30' east of the right-of-way line of South Young to a point 140' east of the right-of-way line of South Goliad.
- (2) On Owens Street from a point 10' south of the right-of-way line of East 5<sup>th</sup> Street to a point 20' north of the right-of-way line of East 10<sup>th</sup> Street.
- (3) On Seventh Street from a point 160' east of the right-of-way line of South Goliad to a point 20' north of the right-of-way line of East 8<sup>th</sup> Street.
- (4) On Eighth Street from a point 140' east of the right-of-way line of South Goliad to a point 10' west of the right-of-way line of South Caylor Street.
- (5) On Benton Street from a point 10' south of the right-of-way line of East 5<sup>th</sup> to a point north of the right-of-way line of East 6<sup>th</sup> Street.
- (6) On Austin Street from a point 10' south of the right-of-way line of East 5<sup>th</sup> to a point north of the right-of-way line of East 6<sup>th</sup> Street.
- (K) Bus loading zone.  
A speed limit of 20 mph from 7:30 o'clock a.m. to 9:30 o'clock a.m. and from 2:45 o'clock p.m. to 4:30 o'clock p.m.
- (1) On Airbase Road from a point 460' south of the south right-of-way line of West 13th Street to a point 88' north of the north right-of-way line of West 13th Street.

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- (2) On West 16th Street from the west right-of-way line of Lark Street to the east right-of-way line of Mesa Street.
- (L) The director of public works is hereby authorized and directed to erect and install appropriate signs and markings at the designated locations, in conformance with the State Highway Department's Manual and specifications, indicating and carrying out the provisions of this article. (Ord. of 4-12-83, §18-73; Ord. of 4-23-85; Ord. of 3-28-95, Ord. of 03-25-97, Ord. of 3-9-00, Ord. of 10-27-09)

### **Sec. 18-74. Speed Limits on Specified Streets.**

The prima facie maximum reasonable and prudent speeds for specific streets and highways, or parts of specific streets or highways, are designated as follows:

- (A) Wasson Road.  
The prima facie maximum reasonable and prudent speed on Wasson Road from Marcy Drive to the city limits shall be forty (40) miles per hour.
- (B) State Highway 350 - North.  
The prima facie maximum reasonable and prudent speed for State Highway 350 (Owens Street) shall be:
  - (1) South bound from the intersection of South Service Road of I.H. 20 to intersection with South Second (2nd) Street shall be forty-five (45) mph.
  - (2) South bound from the intersection of South Second Street to South Fourth Street (4th) shall be thirty (30) mph.
  - (3) North bound from the intersection with South Fourth Street to the intersection with South Second Street shall be thirty (30) mph.
  - (4) North bound from the intersection with South Second Street to the intersection with North Second Street shall be forty-five (45) mph.
  - (5) North bound from the intersection with North Second Street to the intersection with the south service road of I.H. 20 shall be fifty (50) mph. (Ord. of 3-8-94)
- (C) North Frontage Road between State Highway 350 and Birdwell Lane.  
The prima facie maximum reasonable and prudent speed beginning at State Highway 350, Highway Station 802+60 proceeding in an easterly direction 0.477 miles is fifty (50) miles per hour to Highway Station 828+00; from

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Highway Station 828+00 proceeding in an easterly direction 0.537 miles is fifty-five (55) miles per hour to Highway Station 857+35; from Highway Station 857+35 proceeding in an easterly direction a distance of 0.200 miles is forty-five (45) miles per hour to Highway Station 867+91; at which point the North Frontage Road intersects with Birdwell Lane.

- (D) North Frontage Road from U.S. 80 Business Route to F.M. 700.  
The prima facie maximum reasonable and prudent speed beginning at U.S. 80 Business Route, Highway Station 855 +50, and proceeding in an easterly direction is forty-five (45) miles per hour a distance of 0.520 miles to the city limits of Big Spring and Highway Station 882+96.55.
- (E) South Frontage Road of IH 20 from East City Limits to Tulane Avenue.  
The prima facie maximum reasonable and prudent speed beginning at Tulane Avenue and proceeding in an easterly direction is forty-five (45) miles per hour to the city limits. (Ord. of 01-12-10)
- (F) Business Interstate (BIS) 20 West Bound.  
(1) The prima facie maximum and reasonably prudent speed limit for BIS 20 west bound beginning at Tulane St. to Nolan St. is forty (40) mph; from Nolan St. to Lancaster St. is thirty (30) mph; from Lancaster St. to Presidio St. is thirty-five (35) mph; from Presidio St. to Anna St. is forty-five (45) mph; from Anna St. to the west City limits is fifty (50) mph. (Ord. of 7-13-93)
- (G) Business Interstate (BIS) 20 East Bound.  
(1) The prima facie maximum reasonable prudent speed limit beginning at the west city limits to Mesquite St. is fifty (50) mph; from Mesquite St. to Presidio St. is forty-five (45) mph; from Presidio St. to Lancaster St. is thirty-five (35) mph; from Lancaster St. to Nolan St. is thirty (30) mph; from Nolan St. to Union St. is forth (40) mph. and from Union to Baylor is forty-five (45) mph. (Ord. of 7-13-93)
- (H) North Frontage Road of IH 20 from State Highway 175 to State Highway 350.  
The prima facie maximum reasonable and prudent speed from the western city limits, at the intersection of State Highway 176 and the North Frontage Road of IH 20 the same being Highway Station 571+44, eastward shall be fifty-five (45) mph for a distance of 0.15 miles to Highway Station 579+36; fifty (50) mph from Highway Station 579+36 a distance of 0.562 miles, at Highway Station 589+31 back, change to Highway Station 714+76 forward, to Highway Station 734+50 eastward a distance of 0.515 miles from Highway Station 761+70; fifty (50) mph from Highway Station 761+70 eastward 0.594 miles to Highway Station 793+04; forty (40) miles per hour from Highway Station 793+04 eastward 0.2 miles to

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Highway Station 803+60 and the intersection of the North Frontage Road of I.H. 20 and State Highway 350 for the end of this road.

(I) South Frontage Road of IH 20 from Western City Limits to the Eastern end of the South Frontage Road East of State Highway 350.

The prima facie maximum reasonable and prudent speed is forty (40) mph from the western city limits of the city and Highway Station eastward on the South Frontage Road.

(J) South Frontage Road of IH 20 from its intersection with Northeast Second Street to its intersection with Birdwell Lane.

The prima facie maximum reasonable and prudent speed is forty (40) mph from the grade separation of Interstate Highway 20 and U.S. Highway 87 North, beginning at Highway Center Line Station 39+28 on U.S. Highway 87, said point being the intersection of U.S. Highway 87 and the South Frontage Road of IH 20 (North 12th Street), a distance of 0.2 miles to the north city limits line, said point being Highway Center Line Station 19+84.4.

(K) Birdwell Road between F.M. 700 and Twenty-Fifth Street.

The prima facie maximum and reasonable speed is forty (40) mph for that section of Birdwell Lane which lies between a line perpendicular to the center line of the right-of-way and 500 feet to the south of the south right-of-way line of F.M. 700 and Twenty-Fifth (25th) Street.

(1) Comanche Trail Park. The prima facie maximum reasonable and prudent speed on all park streets is twenty (20) miles per hour.

(L) Farm Market Road 700.

(1) The prima facie maximum reasonable and prudent speed of fifty (50) mph is hereby established for the east and westbound sections of F.M. 700 beginning at the intersection of I.H. 20 Business Route West and to the intersection of State Park Road #8 (entrance to Big Spring State Park) and from the intersection of Miami Street and to the intersection IH 20 East. The prima facie maximum reasonable and prudent speed of forty-five (45) mph is hereby established for east and westbound FM 700 traffic between Park Road #8 and its intersection with Miami Street. (Ord. of 3-8-94)

(2) Raising speed limit to forty-five (45) mph westbound on the North Service Road of FM 700 from South Gregg to FM 700 westbound. (Ord. of 2-24-04)

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- (M) North Main Street, North Tenth and North Twelfth Streets.  
The prima facie maximum reasonable and prudent speed limit is twenty (20) mph on North Main Street between North Tenth and North Twelfth Streets within the city.
- (N) U.S. Highway 87 within city limits.  
The prima facie maximum reasonable and prudent speeds are established along U.S. Highway 87 within the city limits of Big Spring, Howard County, Texas, in the following zones:
- (1) The following speed zones are established for south bound traffic beginning at the north city limits line, said point being Highway Center Line Station 49+84.4.
    - (a) The prima facie maximum reasonable and prudent speed of forty (40) miles per hour is hereby established for that section of U.S. Highway 87 beginning at the north city limits line of the city, said line being Highway Center Line Station 49+84.4 and proceeding 1,051.8 feet to a point being Highway Center Line Station 550+03.8. (Ord. of 01-14-92)
    - (b) The prima facie maximum reasonable and prudent speed of fifty - five (55) miles per hour is hereby established for that section of Highway 87 being Highway Center Line Station 550+03.8 to the South city limits line being Highway Center Line Station 533+35.6.(Ord. of 01-14-92)
  - (2) The following speed zones are established for north bound traffic beginning at the southmost south city limits line of the City of Big Spring, said line being Highway Center Line Station 533+35.6.
    - (a) The prima facie maximum reasonable and prudent speed of fifty-five (55) miles per hour is hereby established for that section of U.S. Highway 87 beginning at the southmost south city limits line said line being Highway Center Line Station 533+35.6 proceeding north to a point being Highway Center Line Station 550+-3.8. (Ord of 01-14-92)
    - (b) The prima facie maximum reasonable and prudent speed of forty (40) miles per hour is hereby established for that section of U.S. Highway 87 beginning at Highway Center Line Station 550+03.8 proceeding north to a point being the north city limits line being Highway Center Line Station 49+84.4 .(Ord of 01-14-92)

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- (O) West Eleventh Place Street.  
The prima facie maximum reasonable and prudent speed of forty-five (45) miles per hour is hereby established for that portion of West Eleventh Place Street beginning 200 feet west of its intersection with Abrams Street westerly to its intersection with FM 700. (Ord. of 11-10-81)
- (P) Air Park Drive West.
- (1) The prima facie maximum reasonable and prudent speed for the entire section of road dedicated as Rickabaugh Drive (street name changed by Ordinance 6-25-96 from Airpark Drive West) shall be forty-five (45) miles per hour. (Ord. of 06-12-90, Ord. of 01-11-00)
  - (2) Apron Drive from its north intersection with Airpark Drive east to its southern most limit. (Ord. of 06-12-90)
- (Q) Cessna Drive.
- (1) The prima facie maximum reasonable and prudent speed of thirty (30) miles is hereby established for Cessna Drive from its intersection on the east with Air Park Drive West to its intersection with Industrial Drive. (Ord. of 06-23-90)
  - (2) Industrial Drive from its intersection on the north with IH-20 south service road south to its intersection with Citation Drive. (Ord. of 06-12-90)
  - (3) Citation Drive from its intersection on the east with Air Park Drive west to its intersection with Perimeter Road on the west. (Ord. Of 06-12-90)
  - (4) Perimeter Road from its intersection on the northwest side of the Air Park with Citation Drive south to the Air Park boundary then east and thence north to its intersection with Wright Street on the east side of the Air Park. (Ord. of 06-12-90).
- (R) The prima facie maximum reasonable and prudent speed for the entire section of road dedicated as Edwards Circle shall be twenty (20) miles per hour. (Ord. of 6-23-98)
- (S) The prima facie maximum reasonable and prudent speed for the entire section of road dedicated s Goliad Street from a point 100' west of the right-of-way line of South Service Road FM700 to a point 30' east of the right-of-way line of Highland Drive. (Ord. of 7-13-99)

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- (I) The prima facie maximum reasonable and prudent speed for the entire section of road dedicated as South Service Road FM 700 from a point 210' west of the right-of-way line of Coronado Avenue to a point 30' west of the right-of-way line of Hwy 87 shall be 40 miles per hour. (Ord. of 6-28-05)

### **Sec. 18-75. One-way Streets; Designation and Marking.**

The director of public works is hereby authorized to cause any street or section or portion thereof to be designated and maintained as a one-way street and to designate the direction in which vehicles shall lawfully travel thereon, as may be authorized by the city council by ordinance from time to time. Whenever any street is so designated, the director of public works shall cause the same to be identified as a one-way street by signs and markings painted on the surface of the street or by clearly visible and uniform signs erected adjacent thereto, or both, which signs or markings shall indicate the designation of such street as a one-way street and the direction in which vehicles shall lawfully travel by arrows pointing in that direction. Such signs or markings shall be erected or painted at each entrance to the one-way street and at each cross intersection and at such other points as may be deemed advisable by the director of public works. All existing one-way streets which are designated as one-way streets by signs or markings are hereby validated and approved by the city council.

- (A) The Farm Market 700 north service road from Goliad Street west to Johnson Street is hereby designated as one way west bound.
- (B) North Monticello Street from College Westbound to Birdwell is hereby designated as a one way street westbound between the hours of three (3) and five (5) P.M. on all school days. Further all westbound traffic between College and Birdwell on North Monticello during the one way hours will be required to right turn only onto Birdwell Lane.
- (C) The section of West Thirteenth (13<sup>th</sup>) Street from the intersection of Airbase Road to the intersection of County Fair Parking Area and in that said direction of travel is hereby designated as a One-Way street, effective between the hours of 7:30 o'clock a.m. and 9:30 o'clock a.m. and from 2:00 o'clock p.m. and 5:00 o'clock p.m. (Ord. of 8-12-58, §4(2D); Ord. of 8-23-94, Ord. of 07-08-97, Ord. of 10-28-97)
- (D) The section of Edwards Circle shall be designated as a one-way street and said streets that intersect Edwards Circle shall flow to the right as designated by traffic signs. (Ord. of 6-23-98)
- (E) North Scurry Street is hereby designated as "ONE WAY ONLY" Northbound from NW 9<sup>th</sup> Street to NW 10<sup>th</sup> Street between the hours of 7:30 a.m. to 9:00 a.m. and between the hours of 2:45 p.m. to 4:30 p.m. on all school days. (Ord. of 12-10-02)

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- (F) At each entrance to the one-way alley and the direction in which vehicles shall lawfully travel by arrows indicating the direction and located at such points as may be deemed advisable by the director of public works. (Ord. of 5-27-03)
  
- (G) At each entrance to the one-way street and the direction in which vehicles shall lawfully travel by arrows indicating the direction and located at such points as may be deemed advisable by the director of public works. Eighteenth Street (18<sup>th</sup>) from Birdwell to Muleshoe Street, a direction east to west. (Ord. of 7-22-03)

(Ord. of 2-24-09, Ord. of 3-8-10, Ord. of 9-14-10)

### **Sec. 18-76. Driving in Wrong Direction.**

Whenever any street has been designated as a one-way street as provided in section 18-75, it shall be unlawful for the operator of a vehicle to drive the same upon or over such street in a direction other than that determined and indicated by the appropriate signs and markings conforming to the provisions of section 18-75. (Ord. of 8-12-58, §8(18))

### **Sec. 18-77. Changing Lanes.**

On one-way streets which are marked into traffic lanes by solid lines and dash stripes, it shall be unlawful for the driver of a vehicle to pass from one traffic lane into another in any intersection or across any solid line. Crossing from any such lane to another shall be made only at dash stripes and only after a proper signal is given. (Ord. of 8-12-58, §8(18))

### **Sec. 18-78. Obstructing Intersection or Crosswalk.**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. of 8-12-58, §8(2))

### **Sec. 18-79. Driving Between Vehicles of Authorized Procession.**

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. (Ord. of 8-12-58, S9(4))

### **Sec. 18-80. Primary Truck Routes Established.**

- (A) "Truck" defined. For the purpose of this section, a truck shall be defined as every motor vehicle designed, maintained or used primarily for the transportation of property, which has three or more axles and/or a gross vehicle weight of more than 10,000 pounds.
  
- (B) No person shall operate a truck on any street or roadway within the city except on the following portions of the following streets, which are hereby designated as "Primary Truck Routes":

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- (1) Interstate Highway 20 from the west city limits to the east city limits.
  - (2) U.S. Highway 87 (Gregg Street) from the north city limits to the south city limits.
  - (3) State Highway 350 from the north city limits to U.S. Highway Business Route East (Fourth Street).
  - (4) U.S. Highway 80 Business Route West (Third Street) from its intersection with Interstate Highway 20 on the east to its intersection with Interstate Highway 20 on the west.
  - (5) U.S. Highway 80 Business Route East (Fourth Street) from its intersection with Interstate Highway 20 on the west to its intersection with Interstate Highway 20 on the east.
  - (6) Farm to Market Road 700 from its intersection with U.S. Highway 80 Business route to its intersection with Interstate Highway 20.
- (C) Trucks restricted to the streets designated as "primary truck routes" may depart from such route where it is necessary to load or unload merchandise at locations situated off of the designated routes; provided, however, such vehicles shall follow the most direct truck route to the point nearest their ultimate destination and provided further, that such vehicles shall not leave designated truck routes until they have reached a turning off point that can be described as the shortest distance practical to the ultimate destination of the vehicle, which is consistent with a reasonable operation of the vehicle; provided, further, said vehicle may depart from the designated truck terminal, which is defined as an area for trans-shipment of merchandise and service and maintenance of trucks; provided, that such vehicle proceeds by the most direct route that is practicable. Any such vehicles may be driven off the designated routes to a public garage or repair shop when reasonably necessary for the maintenance and repair of such vehicle; provided, however, that this provision shall never be construed as authorizing the repair of vehicles in areas otherwise prohibited by the provisions of this Code, or by state law.
- Any person operating any of the aforesaid vehicles upon any street or roadway which is not designated a truck route as provided for hereinabove shall have in his possession for the inspection of police officers his log book or evidence of his destination and point of origin to justify the presence of said vehicle on a street or roadway other than a designated truck route.

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- (D) The following vehicles shall be exempt from the provisions of this section:
- (1) Authorized emergency vehicles (as defined by Article 6701(d), Vernon's Texas Civil Statutes).
  - (2) Municipal and utility service vehicles.
  - (3) Vehicles transporting hazardous materials as regulated by Section 18-81.
  - (4) Appropriate signs and marking shall be erected and maintained advising the operators of trucks of the streets and highways which have been designated as "primary truck routes". (Ord. of 7-24-79, §1)

**Sec. 18-81. Truck Routes Established for Vehicles Transporting Hazardous Materials.**

- (A) "Vehicle transporting hazardous material" defined. "Vehicles transporting hazardous materials" as such term is used in this section shall mean all vehicles and appurtenances thereto used for the transportation of radioactive, hazardous, explosive or inflammable materials and substances and regulated by the U.S. Department of Transportation and/or the Texas Department of Public Safety as vehicles used for the transportation of hazardous materials.
- (B) No person shall operate a vehicle transporting hazardous materials upon any street or roadway within the City of Big Spring except upon the following portions of the following streets, which are hereby designated as "Primary Routes for Vehicles Transporting Hazardous Materials".
- (1) Interstate Highway 20 from the west city limits to the east city limits.
  - (2) U.S. Highway 87 from the north city limits to its intersection with Interstate Highway 20.
  - (3) State Highway 350 from the north city limits to Interstate Highway 20.
  - (4) Farm to Market Road 700 from its intersection with U.S. Highway 80 Business route to its intersection with Interstate Highway 20.
  - (5) U.S. Highway 80 Business Route from its intersection with Interstate Highway 20 on the west to its intersection with Farm to Market Road 700 on the west.
  - (6) U.S. Highway 87 from Farm to Market Road 700 to the south city limits.

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- (C) Vehicles transporting hazardous material may depart from the above numerated routes where it is necessary to load or unload materials at locations situated off designated routes; provided, however, such vehicles shall follow the most direct designated route to the point nearest their ultimate destination and provided further that such vehicles shall not leave the designated routes until they have reached a turning point that can be described as the shortest distance practical to the ultimate destination of the vehicle which is consistent with the reasonable operation of the vehicle; provided, further, said vehicles may depart from the designated routes for the purpose of traveling to and from a duly designated truck terminal, which is defined as an area for trans-shipment of merchandise and service and maintenance of trucks; provided, that such vehicle proceeds by the most direct route that is practicable.
- Any such vehicles may be driven off the designated routes to a public garage or repair shop when reasonably necessary for the maintenance and repair of such vehicles; provided, however, that this provision shall never be construed as authorizing the repair of vehicles in areas otherwise prohibited by the provisions of this code, or by state law.
- Any person operating any of the aforesaid vehicles upon any street or roadway which is not a designated route as provided for hereinabove shall have in his possession for the inspection of police officers his log book or evidence of his destination and point of origin to justify the presence of said vehicle on a street or roadway other than a route designated above.
- (D) No liquefied petroleum products shall be transferred from one transporting vehicle to another transporting vehicle on any street, alley, public thoroughfare or at any other point in the city other than on the premises on which permanent commercial storage tanks are located, except that in case of emergency, such transfer may be made under the supervision of the chief of the fire department.
- (E) Appropriate signs and markings shall be erected and maintained advising the operators of vehicles transporting hazardous material of the highways which have been designated as "Routes for Vehicles Transporting Hazardous Materials". (Ord. of 7-24-79, §2)

### **Sec. 18-82. Interference with Traffic by Sale of Merchandise, Etc.**

It shall be unlawful for any person to distribute, deposit or place on any vehicle or to sell to the occupant or occupants of any vehicle, any handbill, poster, newspaper, food, beverage or other product or merchandise or solicit or collect from such occupant while such vehicle is in a moving lane of traffic upon a public street within the city, whether such vehicle is stopped or moving, unless such person has received written permission from the Chief of Police. (Ord. of 4-23-96)

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**Sec. 18-83. No Left Turns on Portions of 11<sup>th</sup> Place.**

- (1) “No Left Turn” shall be allowed westbound on 11<sup>th</sup> Place at the intersection of 11<sup>th</sup> Place and Benton Street;
- (2) “No Left Turn” shall be allowed westbound on 11<sup>th</sup> Place at the intersection of 11<sup>th</sup> Place and Austin Street;
- (3) “No Left Turn” shall be allowed northbound on Benton Street at the intersection of Benton Street and 11<sup>th</sup> Place;
- (4) “No Left Turn” shall be allowed northbound on Austin Street at the intersection of Austin Street and 11<sup>th</sup> Place. (Ord. of 7-12-05)

**Sec. 18-84 to 18-108. Reserved.**

### Article 4. Traffic Control Devices

**Sec. 18-109. Necessity of Signs.**

No provision of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not visible and sufficiently legible to be seen by an ordinarily observant person. (Ord. of 8-12-58, §(1))

**Sec. 18-110. Marking of Traffic Lanes.**

The city manager is hereby authorized to mark lines for traffic on street pavement at such places where necessary, when directed by the city council. (Ord. of 8-12-58, §4(2B))

**Sec. 18-111. Installation of Traffic Lights.**

The city manager, as authorized by the city council from time to time, shall designate intersections at which traffic shall be controlled by electric traffic control signals or lights and shall cause such signals or lights to be installed and maintained at such intersections.

**Sec. 18-112. Validation of Existing Traffic Control Devices.**

All existing traffic control devices in the city are hereby validated and approved by the city council. (Ord. of 3-22-83; Ord. of 8-13-85)

**Sec. 18-113. Unauthorized Signs, Signals, Etc.**

- (A) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic or the parking of vehicles, or which

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hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to the highways of signs giving useful directional information of a type that cannot be mistaken for official signs.

- (B) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the city manager, when authorized by the city council, is hereby empowered to remove the same or cause it to be removed without notice. (Ord. of 8-12-58, §6(5))

### **Sec. 18-114. Injuring, Removing, Etc. Official Devices.**

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 other part thereof.

### **Sec. 18-115. Prima Facie Evidence of Lawful Installation.**

Proof of the location of any traffic control device within the city shall constitute prima facie evidence of its lawful installation. (Ord. of 8-13-85)

### **Sec. 18-116 to 18-128. Reserved.**

## **Article 5. Stopping, Standing and Parking**

### **Division 1. Generally.**

### **Sec. 18-129. Unattended Vehicles.**

It shall be unlawful for any person to park or to allow a motor vehicle to stand on any highway unattended without first setting the brakes thereon, setting the gear, if it has manual gears, turning the motor off; when standing upon a slope or grade, turning the wheels of such vehicle to the curb or side of the highway. (Ord. of 8-12-58, §(5))

### **Sec. 18-130. Prohibited in Specified Places.**

No person shall stop, stand or park a vehicle, except in compliance with the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk or walkway.
- (2) In front of a public or private driveway.

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- (3) Within an intersection.
- (4) Within fifteen (15) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a crosswalk or intersection.
- (7) Within twenty (20) feet of the driveway entrance to any fire station.
- (8) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- (9) On the roadway side of any vehicle stopped or parked at the edge of a curb or street.
- (10) Upon any bridge, viaduct or elevated structure upon a highway.
- (11) At any place where official signs or marking prohibit stopping, standing, parking.
- (12) In any alley, except for the purpose of and while actually engaged in loading or unloading.
- (13) In the area of the public parkway lying between the curb or grade line of any public street and the abutting sidewalk or private property line; provided however, parking shall be lawful in that portion of the public parkway used as part of a business parking lot approved and permitted by the director of public works after a determination that allowing parking in the portion of the parkway covered by said permit will not constitute a traffic hazard. (Ord. of 8-12-58. §7(1); Ord. of 1-10-84; Ord. of 7-10-84)

### **Sec. 18-131. Prohibited for Certain Purposes.**

No person shall stand or park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying it for sale.
- (2) Washing, greasing, filling with gas or oil or repairing such vehicle, except repairs necessitated by an emergency. (Ord. of 8-12-58, §7(11))

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### Sec. 18-132. Stopping on Roadway.

No person shall stop, stand or park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten (10) feet of the width of either lane of a roadway for free movement of the vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer. (Ord. of 8-12-58)

### Sec. 18-133. Stop Intersections.

The city manager is hereby authorized to cause any street intersection to be designated and maintained as a stop intersection and to designate the streets upon which vehicles shall stop before entering such intersection, as directed by the city council from time to time. Whenever any intersection has been so designated, the city manager shall cause the same to be identified by the erection of signs indicating which vehicles approaching the intersection shall stop. When such signs are erected at the entrance to any intersection, every driver of a vehicle shall stop at every such sign or at a clearly marked stop line and ascertain that the way is clear before entering the intersection, except when directed to proceed by a police officer or traffic control signal. (Ord. of 8-12-58, §§4(31), 8(1))

### Sec. 18-134. Marking Spaces Where Parking Prohibited.

The city manager is hereby authorized to cause parking spaces to be designated, maintained and marked off in and on such streets and parts thereof as may be authorized by the city council from time to time and is also authorized to cause no-parking spaces to be designated, maintained and marked off in and on such streets and parts thereof as may be authorized by the city council from time to time. The city manager is further authorized to cause time limit parking areas to be designated, maintained and marked off in and on such part or parts of streets as may be authorized by the city council from time to time. All spaces for parking vehicles shall be laid out either parallel with the street or at an angle, and shall be designated by painted lines showing clearly the manner in which a vehicle is to be parked.

The fact that a parking space, a no-parking area or a time parking area is designated by lines or markings painted on the surface of the street or by clearly visible signs indicating the area affected respectively shall be prima facie evidence that the city manager was authorized by the city council to designate the same at the place it is located and that it was determined by the city council that the same should be designated according to the markings or signs, as the case may be, as they then exist.

In areas designated by the city manager as time limit parking areas, parking may be limited to any period prescribed by the city council, the same to be designated with clearly distinguishable markings or signs at both ends of the time limit area and at reasonable intervals between the beginning and ending of such time limit area, indicating the time allowed for parking in such areas.

Any time limit on parking established under this section shall apply on such days and between such hours as are designated by the city council.

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### **Sec. 18-135. Parking in Prohibited Areas; Overtime Parking.**

It shall be unlawful for any person to cause, allow, let, permit or suffer any vehicle registered in his name or owned or operated by him or in his possession or under his control to be or remain in any no-parking area designated according to the provisions of section 18-134, or in a time limit parking area for a longer period of time than that designated by the markings on the street or by signs clearly visible.

### **Sec. 18-136. Parallel Parking.**

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic and with the curb-side wheels of the vehicle within eighteen (18) inches of the edge of the roadway, or curb where curb is provided, except upon those streets which have been marked or designated for angle parking to the curb, as indicated by such marks or signs, and except as otherwise specifically provided in this article. (Ord. of 8-12-B 57(9))

### **Sec. 18-137. Angle Parking.**

Upon those streets where parking spaces are marked at an angle to the curb, vehicles shall be parked entirely within the spaces so marked and with the front thereof headed toward the curb. No truck, excluding pickup trucks of less than one ton, or any vehicle with a trailer attached will be permitted to park on those streets which are marked for angle parking, except as otherwise provided in this article for the purposes of loading or unloading. (Ord. of 8-12-58, §7(g))

### **Sec. 18-138. Vehicles Left Unattended on Public Property over Forty-eight Hours.**

It shall be unlawful for any person to leave unattended on any street, alley, or other public property in the city a vehicle for over a period of forty-eight (48) hours. (Ord. of 11-12-74)

### **Sec. 18-139. Curb Loading Zones.**

The city manager, as authorized from time to time by the city council, may designate the location of freight curb loading zones and the hours during which such zones are to be used for such purpose. When such designations are made, the city manager shall place and maintain appropriate signs indicating such zones and the hours during which they are to be used for such purpose.

No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes. (Ord. of 8-12-58 §4(2C))

### **Sec. 18-140. Bus Stops, Taxicab Stands, Etc.**

The city manager is hereby authorized to establish bus stops and taxicab stands and stands for other passenger, common carrier motor vehicles on such public streets, in such places and in such number as may be determined from time to time by the city council to be of the greatest benefit and convenience to the public. Every such bus stop, taxicab stand or other stand shall be

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designated by appropriate signs. The designation of taxicab stands shall be subject to the provisions of Chapter 19 of this Code.

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone. (Ord. of 8-12-58, §4(3F))

### **Sec. 18-141. Parking of Vehicles Used for Delivery of Animals.**

No vehicle or truck used for the delivery of animals or livestock shall be parked in any residence or business district of the city, nor in any other district unless the vehicle or trailer is clean and free of waste materials from animals. (Ord. of 8-12-58, §7(8))

### **Sec. 18-142. Backing to Curb to Load or Unload.**

Vehicles used for the transportation of merchandise or materials may back to the curb to load or unload, if the vehicle is constructed so that it cannot be unloaded from the side from a position parallel with the curb. In no event shall such parking be allowed where it leaves less than ten (10) feet in either lane of a street. (Ord. of 8-12-58, §7(9))

### **Sec. 18-143. Parking along Parade Route.**

The police officer in charge of traffic, under the supervision of the chief of police, is hereby authorized, whenever in his judgement it is necessary to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect. It shall be unlawful to park or leave unattended any vehicle in violation of such signs. (Ord. of 8-12-58, §9(2))

### **Sec. 18-144. Moving Vehicle of Another into Prohibited Area or Away from Curb.**

No person shall move a vehicle not owned by such person into any area where parking, stopping or standing is prohibited or away from a curb such distance as is unlawful. (Ord. of 8-12-58, §7(1))

### **Sec. 18-144a-1 Definitions:**

In this section, the terms described below shall be used and defined as follows:

1. "Motor Vehicle" means a vehicle that is self propelled.
2. "Operator" means a person in actual physical control of the vehicle.
3. "Owner" means a person who has: (A) legal title to a motor vehicle (B) or the right to possess or control the vehicle.

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4. “Front Yard” means an open, unoccupied space on a lot facing a street extending across the lot between the side lot lines and from the front of the main building to the front lot or street line. In corner lots the front yard shall be that yard where the main entrance of the principal structure is located.
5. “Truck-tractor” means a motor vehicle designed or used primarily for pulling other vehicles and not constructed to carry a load other than a part of the weight of the vehicle being drawn.
6. “Semitrailer” means a vehicle without motive power that is designed, or used with a motor vehicle, so that some of its weight and the weight of its load rest on or is carried by the motor vehicle.
7. “Trailer” means a vehicle without motive power that is: (A) designed or used to carry property or passengers on its own structure exclusively; and (B) drawn by a motor vehicle.
8. “Vehicle” means a mechanical device, other than a device moved by human power or used exclusively upon stationary rails or tracks, in, on, or by which a person or property can be transported. The term includes a motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semitrailer but does not include manufactured housing as defined by the Texas Manufactured Housing Standards Act (Article 5221fRev.Civ.Stat., Vernon’s Texas Civil Statutes) or self propelled wheel chairs or mechanical devices while being used by handicapped individuals.
9. “Authorized Emergency Vehicle” means: a fire department or police vehicle, a public or private ambulance operated by a person who has been issued a license by the Texas Department of Health; a municipal department or public service corporation emergency vehicle that has been designated by the City Council; a private vehicle of a volunteer firefighter or certified emergency medical services employee or volunteer when responding to a fire alarm or medical emergency.
10. “Paved Surface” shall mean an area continuously surfaced with concrete, hot mix asphalt, brick or stone pavers or gravel.
11. “Park” or “Parking” means to stand an occupied or unoccupied vehicle, other than temporarily while loading or unloading property or passengers.
12. “Stand” or “Standing” means to halt an occupied or unoccupied vehicle, other than temporarily while receiving property or passengers.(Ord. of 3-11-03)

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### Sec. 18-144a-2 Prohibition.

No owner or operator of a vehicle may park a vehicle on any portion of the front yard of any lot zoned for residential purposes within the city unless such vehicle is parked upon a paved surface or designated unpaved parking area as defined by Section 18-144a-3, except as follows:

1. a person operating authorized emergency vehicle; or
2. a person properly displaying a valid Handicapped Parking Permit.

(Ord. of 3-11-03)

### Sec. 18-144a-3 Designated Parking Areas.

Parking areas exist or may be designated in the front yard of a residential lot as follows:

- a. In areas of the city in which the streets have curbs and gutters the designated unpaved parking area in the front yard of each residential lot shall be the area perpendicular to the street between the curb cuts and extending to the garage or if there is no garage to the residence.
- b. If the curb cut is not twenty-two feet wide, then the area shall be the area eleven feet either side of a line extending from the center of the curb cut and perpendicular to the street and extending to the garage or if there is no garage to the residence.
- c. If the area does not front either a garage or residence, the area shall be as described, but in no event may it extend further than seventy feet (70') into the lot from the center of the right of way.
- d. In areas of the City in which there are no curbs or gutters, the Owner of the property, as shown by the records of the Howard County Appraisal District may designate an area twenty-two feet (22') wide perpendicular to the street extending from the public right of way to the garage or if there is no garage to the residence. If the area does not front either a garage or residence, the area may be designated as described but in no event may it extend further than seventy feet (70') into the lot from the center of the right of way. The designation shall be made in writing on forms supplied by the City and filed with the City Secretary. A designation once made may not be amended until the first anniversary of the date of designation.
- e. Lots with curb and gutter but no curb cuts may be designated in the same manner as those areas without curb and gutter. (Ord. of 3-11-03)

### Sec. 18-144a-4 Presumption.

In instances in which the actual operator of the vehicle cannot be readily determined, the registered owner of any vehicle parked in violation of this ordinance shall be deemed to be prima facie responsible for the violation so evidenced and subject to the penalty provided herein. (Ord. of 3-11-03)

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**Sec. 18-144a-5 Enforcement.**

In areas without curb and gutter, this ordinance shall only be enforced following ten (10) days notice to the owners or occupants of the residential lot. In the event the Code Enforcement Department becomes aware of a violation on a lot without a prior designation, they shall attach a notice to the offending vehicle and to the front door of the residence, if any, which shall state as follows:

**WARNING**

**VEHICLE LICENSE NO. \_\_\_\_\_ IS PARKED IN AN  
UNDESIGNATED PARKING AREA.**

Contact the City of Big Spring Code Enforcement Department, 501 Runnels Street, Big Spring, Texas 79720, within ten (10) calendar days to designate an unpaved parking area. Continued parking of vehicles in this area will subject you to prosecution for illegal parking.

\_\_\_\_\_ Dated: \_\_\_\_\_  
Code Officer

Continued parking in an undesignated area following ten (10) days notice shall subject the owner or operator of the vehicle to prosecution.  
(Ord. of 3-11-03)

**Sec. 18-144a-6 Penalty.**

No owner or operator of any vehicle shall cause or permit a vehicle to be parked in violation of any of the provisions of this ordinance. Any owner or operator of any vehicle violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction may be fined not less than \$1.00 or more than \$200.00. Each day the violation occurs or continues shall constitute a separate offense. (Ord. of 3-11-03)

**Sec. 18-145. Notice to Be Attached to Illegally Parked Vehicle.**

Whenever any motor vehicle without driver or operator is found parked or stopped in violation of any of the restrictions imposed by this article or other ordinance of the city, the officer finding such vehicle shall take its registration number, and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a notice in writing, on a form provided by the city, for the driver or operator to answer to the charge against him, within ten (10) days after the issuance of the notice, at the corporation court of the city. All such notices shall be serially numbered. (Ord. of 8-12-58, §§3(3), (4))

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### Sec. 18-146. Impoundment of Standing or Parked Vehicles.

- (A) Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage or parking lot designated or maintained by the police department or otherwise maintained by the city, under the circumstances hereinafter enumerated:
- (1) When a vehicle upon a roadway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal.
  - (2) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
  - (3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite obstruction to employees of the city engaged in cleaning the street upon which the vehicle is illegally parked, or when any vehicle is illegally parked and constitutes an obstruction to the progress of construction or repair work on any of the city's water or sewer lines.
  - (4) When any vehicle is found parked in violation of section
  - (5) If a nonresident of the city has failed on more than one occasion to comply with notice attached to an illegally parked vehicle owned by him, and warrants have been issued for his arrest but not served because of his absence, the police are authorized to impound his vehicle as provided in this section, when such vehicle is next found left unattended upon a street and illegally parked.
- (B) Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.
- (C) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a

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written report of such removal by mail to the state highway department. Such notice shall include a complete description of the vehicle, the date, time and place for which removed, the reason for such removal, and the name of the garage or place where the vehicle is stored.

- (D) In the event a vehicle is removed from a street under this section, the owner of same shall pay, in addition to the fine, if any, assessed against him, reasonable costs incurred in removing the vehicle from the street, and reasonable storage for the time the same is stored in a garage or parking lot. (Ord. of 8-12-58, §7(10))

### **Sec. 18-147. Parking of Trucks, Vehicles Transporting Hazardous Materials and Buses.**

(A) Definitions for the purposes of this section:

- (1) Truck. Any motor vehicle designed, maintained or used primarily for the transportation of property which has three or more axles and/or a gross vehicle weight of more than ten thousand (10,000) pounds.
- (2) Vehicle transporting hazardous material. Any vehicle and appurtenances thereto used for the transportation of radioactive, hazardous, explosive or inflammable materials and substances and regulated by the U.S. Department of Transportation and/or the Texas Department of Public Safety as a vehicle used for the transportation of hazardous materials.
- (3) Bus. Any vehicle constructed, outfitted or intended for carrying or transporting ten or more passengers.

(B) Regulations as to parking:

- (1) No truck shall be parked on any street, alley, public thoroughfare; provided, however, that such vehicles may be parked at the point where pick-up or delivery of goods or property is made without undue delay. Further, no truck shall be parked in any area of the city zoned for residential habitations only.

(a) Parking of a Truck's Tractor in Backyards.

Only the truck's tractor may be parked in the backyard of the Tractor Operator in a residential zoned area only if the following requirements are satisfied:

- 1.) Adequate and safe ingress and egress are available and /or provided for from a city street to the backyard, as approved by the City Engineer.
- 2.) Application is approved by and renewed annually through the Building Official. annual permit fee shall be \$30.00.

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- 3.) A tractor shall be parked, stored or screened in such a manner that it is not visible from any street, further more if a structure is required it meets all applicable codes.
  - (2) No vehicle transporting hazardous materials shall be parked or stored on the streets, alleys, public thoroughfares or at any other point within the corporate limits of the city except upon premises owned or leased by the owner of such transporting vehicles; provided, however, that such vehicle may be parked at the point where the commodity is to be delivered and such delivery shall be made without undue delay. In no event shall such transporting vehicle be parked for the purpose of unloading or delivery for a longer period of time than one (1) hour, unless the express permission of the chief of the fire department is first obtained.
  - (3) No bus shall be parked on any street, alley or other public way in any area of the city zoned for residential habitations only; provided, however, that such vehicles may park for the immediate purpose of loading or unloading passengers. (Ord. of 7-24-79, §3)
- (D) Penalties:  
Persons violating any provision or provision of this section, if convicted of such violation in the municipal court of the City of Big Spring, may be fined five dollars (\$5.00). Each violation shall be considered a separate offense. (Ord. of 4-23-74, Ord. of 9-24-96)

### **Sec. 18-148. Handicapped Parking.**

The City Manager is hereby authorized to establish handicapped parking spaces within the public right-of-way when so directed by the City Council. (Ord. of 1-14-92)

### **Sec. 18-148a.**

The City Manager is hereby directed to establish two (2) handicapped parallel parking spaces on the west side of Scurry Street between 5th and 6th Streets, more specifically in front of the Heritage Museum. (Ord. of 1-14-92)

### **Sec. 18-149. Parking on Goliad Street.**

No parking shall be allowed on the east side of Goliad Street from the south end of the Goliad School as delineated by proper sign age between the hours of 7:30 o'clock a.m. to 9:00 o'clock a.m. and from 3:15 o'clock p.m. and 5:15 o'clock p.m. (Ord. of 10-13-92)

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### Sec. 18-150. Benton Street Overpass Weight Limits.

The vehicular weight limit for traversing the Benton Street Overpass is hereby set at 4,500 lbs. It shall be illegal for any owner-operator of a vehicle weighing more than 4,500 lbs to enter upon or traverse over the Benton Street Overpass. (Ord. of 2-8-94)

### Sec 18-150a. Right Turn Only.

West 18th Street at its intersection with South Lancaster is hereby designated as a “Right turn Only” intersection. Further there shall be no parking allowed on the west side of South Lancaster, North from 18th to the 1st entrance drive to Canterbury South complex. (Ord. of 10-11-94)

### Sec. 18-150b. Street Closing.

Pursuant to the recommendation of the Airpark Advisory Board and the Traffic commission; First Street on the Big Spring McMahon/Wrinkle Airpark is permanently closed from Bell Street to Warehouse Drive. (Ord. of 10-11-94)

### Sec. 18-150c. Birdwell Road Over Beal’s Creek Weight Limits

The vehicular weight limit for traversing the Birdwell road over Beal’s Creek is hereby set at 21,000 lbs. It shall be illegal for any owner-operator of a vehicle weighing more than 21,000 lbs to enter upon or traverse over the Birdwell road over Beal’s Creek. (Ord. of 1-13-98)

### Sec. 18-151a. The following two (2) way stop intersections are established.

- (1) Colgate stopping for traffic on Dartmouth.
- (2) Colgate stopping for traffic on Kentucky Way.

(Ord. of 4-25-95)

### Sec. 18-151b.

The intersection of Father Delaney and North Aylesford is hereby established as a four (4) way stop intersection. (Ord. of 4-25-95)

### Sec. 18-152. No Parking in Front of High School between hours 7:30 a.m. to 4:00 p.m.

- (1) “No Parking shall be allowed from 7:30 a.m. – 4:00 p.m.” on the north side of 11<sup>th</sup> Place from Goliad Street to State Street.
- (2) “No Parking shall be allowed from 7:30 a.m. – 4:00 p.m.” on the south side of 11<sup>th</sup> Place from Austin Street to Owens Street. (Ord. of 7-12-05)

### Sec. 18-153. No Parking on Eastside of N. Scurry from NW 9<sup>th</sup> St. to NW 10<sup>th</sup> St.

“No Parking shall be allowed from 3:00 p.m. – 4:00 p.m.” on the east side of N. Scurry from NW 9<sup>th</sup> St. to NW 10<sup>th</sup> St. to provide for a bus loading zone. (Ord. of 3-8-10)

### Sec. 18-153 to 18-191. Reserved.

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### ARTICLE 6. PEDESTRIANS

**Sec. 18-192. Crosswalks and Safety Zones.**

The city manager is hereby authorized to do the following acts, when directed so to do by the city council:

- (1) To place markers and lines upon the surface of the roadway, crosswalks, and at intersections where there is particular danger to pedestrians crossing the roadway.
- (2) To establish safety zones of such kind and character and at such places where the same are necessary for the protection of pedestrians. (Rod. of 8-12-58, §4 (3A,B))

**Sec. 18-193. Unlawful Assemblies.**

It shall be unlawful for any person in or upon any sidewalk or in or upon any premises abutting thereon, to make any speech or harangue, or to demonstrate, sell or offer for sale, goods, wares, or merchandise or to display any sign, device, information, or exhibition, in consequence of which there is caused or created such a gathering of persons on such sidewalk as to interfere with pedestrian traffic thereon.

It shall be unlawful for pedestrians to gather and remain in crowds or assemblies at or about any point or place, or to move in crowds or assemblies from place to place, upon the streets or sidewalks, in such numbers and in such manner as to interfere with vehicular or pedestrian traffic. (Ord. of 8-12-58, §9(6), (7)).