

TITLE 6
MOTOR VEHICLES AND TRAFFIC

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CHAPTER 1
TRAFFIC CODE

Section:

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6-1-1: UNIFORM ACT ADOPTED:

- A. Adoption: Sections 31-5-101 through 31-5-1214, Wyoming Statutes, being the uniform act regulating traffic on highways, are adopted by reference and incorporated herein as a part of the ordinances of the town of Superior as fully as if completely set out in full in this chapter.
- B. Copy On File: One copy of such provisions is on file in the office of the town clerk-treasurer for examination and inspection. The town clerk-treasurer shall keep on file in her office a copy of such provisions for examination.
- C. Amendment: Whenever reference is made in the uniform act regulating traffic on highways to justice of the peace, said words are hereby amended and intended to refer to the municipal judge or municipal court.
- D. Penalties: Any violations of the provisions of this Ordinance shall be punished pursuant to the state statute prohibiting such an act. (Ord. 990, 12-10-1992; amd. 2005 Code; Ord 1055 2-11-2016)

6-1-2: RIGHTS OF WAY:

All persons shall yield the right of way to any town maintenance vehicle, including the town road grader and town backhoe, while said maintenance vehicle is being operated in the performance of its official duties which include, but are not limited

to, snowplowing, grading and digging of water and sewer lines. No person shall stop or park a motor vehicle within fifty feet (50') of a town maintenance vehicle while said maintenance vehicle is being operated in the performance of its official duties, unless the owner is stopping or parking in his own driveway. (Ord. 966, 5-10-1089)

6-1-3: BARRIERS:

No vehicle shall be driven over any newly made pavement where there is a barrier or sign warning persons not to drive over such pavement or a sign stating that the street is closed. (1960 Code § 5-131)

6-1-4: LITTER:

No person shall throw, place or deposit in or upon any public street, alley or roadway, any nails, tacks, glass, crockery, scrap iron, tin, wire, bottles, thorns, clippings, dirt, sand, gravel, or any other article or thing of any nature whatsoever, from any vehicle. (1960 Code § 5-132)

6-1-5: TRAFFIC OFFICERS:

All vehicles and pedestrians shall stop immediately upon request or upon signal from a police officer; such signal to be made by the officer raising his hand, using a semaphore, blowing a whistle or in some other intelligible manner. (1960 Code § 5-133)

6-1-6: STOP BACK OF BUILDING LINE:

When signaled by a traffic officer, vehicles shall stop back of the building line, leaving the crossing clear for pedestrians. (1960 Code § 5-134)

6-1-7: DRIVING OVER FIRE HOSE:

Whenever any hose of the fire department is laid upon any public highway for the purpose of being used by the department, it shall be unlawful to drive over same. (1960 Code § 5-135)

6-1-8: DRIVERS UNDER FIFTEEN:

No one under fifteen (15) years old shall drive any motor vehicle on a public highway. (1960 Code § 5-136)

6-1-9: VEHICLES, STOP WHERE, NEAR CURB:

No vehicle, unless in any emergency or to allow another vehicle or pedestrian to cross its path, shall stop in any public street or highway crossing and shall not stop or stand within the intersection of any streets or alleys. (1960 Code § 5-137)

6-1-10: FUNERAL PROCESSIONS:

No vehicle shall be driven through a funeral procession, except that of a police, fire or health department vehicle, United States mail or ambulance when on duty. (1960 Code § 5-138)

6-1-11: OFFENSES:

It shall be unlawful for any person not the owner or operator thereof, to tamper, meddle or interfere with any vehicle, or to start or attempt to start the machinery or apparatus thereof, while the same is standing still, or to puncture or otherwise mutilate the tires, or to scratch, mark or otherwise deface the body or the apparatus thereof, or to take or remove from said vehicle any part or portion of the machinery, equipment or other portion thereof, or to throw, cast or hurl any stone, rock, snowball, glass or other missile at any vehicle or the occupants thereof. It shall be unlawful for any person to remove or to tamper, meddle or interfere with any traffic signal, sign, or painted, drawn or established line, constructed or maintained under the provisions of this chapter. (1960 Code § 5-139)

6-1-12: PASSING VEHICLES:

No vehicle shall attempt to pass another vehicle traveling the same direction at any street intersection, nor while such vehicle is attempting to pass still another vehicle traveling in the same direction. (1960 Code § 5-141)

6-1-13: U-TURNS:

- A. Definition: As used herein, a "U-turn" includes and is meant to include any turn other than at an intersection in which a vehicle changes direction at an angle in excess of ninety degrees (90°) from the original line of travel.
- B. Prohibited Where Designated: Such turns are specifically prohibited at such locations designated by the town marshal who is directed and empowered to erect appropriate "No U-Turn" signs. (Ord. 950, 7-8-1987)
- C. Violation; Penalty: Anyone in the operation of a motor vehicle at any location on Front Street, except in a location specifically designated as "No U-Turn" by sign, anyone making a U-turn in a signed "No U-Turn" area shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 950, 7-8-1987; amd. 2005 Code)

6-1-14: TRAFFIC CONTROL DEVICES:

- A. Authority To Determine: The town council or chief of police is hereby authorized to determine the manner in which motor vehicles should be operated or parked within the town, including controls on passing, turning, speed, right of way, stopping, or other controls as deemed necessary.
- B. Obedience Required: When controls are indicated by appropriate signs, traffic control devices or markings on the roadway and are clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof. (Ord. 922, 1-12-1982)

6-1-15: DRIVER'S LICENSE:

- A. License Required:
 - 1. Vehicle Being Driven, Steered Or Controlled: No person, unless exempt under Wyoming state law, shall drive, steer or exercise any degree of physical control of any motor vehicle upon any street, alley or public way within the town unless the person has a valid driver's license for the type or class of vehicle being driven.
 - 2. Vehicle Being Towed: No person, unless exempt under Wyoming state law, shall steer or exercise any degree of physical control of a vehicle being towed by a motor vehicle upon any street, alley or public way within the town unless the person has a valid driver's license for the type or class of vehicle being towed. (Ord. 992, 7-8-1993)
- B. Display On Demand:
 - 1. Definition: For the purpose of this section, "display" means the surrender of his license to the demanding officer.
 - 2. Possession; Display: Every driver shall have his driver's license in his immediate possession at all times when driving a motor vehicle and shall display the license upon demand of any judicial officer, municipal court judge or any peace officer as defined in Wyoming Statutes subsection 31-5-1029(a)(xxxiii). However, no person charged with violating this section shall be convicted if he produces in court a driver's license previously issued to him and valid at the time of his arrest. After examination, the officer shall immediately return the license to the licensee except as provided in Wyoming Statutes subsection 35-5-1205(k). (Ord. 993, 7-8-1993)
- C. Permitting Unlicensed Person To Drive: No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven or towed upon any street, alley or public way within the town by any person who is not licensed for the type or class of vehicle to be driven. (Ord. 994, 7-8-1993)
- D. Driving While License Cancelled, Suspended Or Revoked:
 - 1. Prohibited: No person shall drive a motor vehicle on any public highway, street, road, alley or public way within the town at a time

when his privilege to do so has been cancelled, suspended or revoked by the authority originally granting such privilege. (Ord. 997, 5-12-1994)

2. Penalty: Violation of this section shall be punishable as provided in section 1-4-1 of this code. (Ord. 997, 5-12-1994; amd. 2005 Code)

6-1-16: REGISTRATION:

- A. Required: No person shall knowingly operate, nor shall an owner knowingly permit to be operated, upon any street, alley or public way within the town any vehicle:

1. Certificate Of Title, Registration, Plates Issued: Unless a valid certificate of title or nontransferable certificate under Wyoming Statutes subsection 31-2-102(a)(iii), certificate of registration and license plates or temporary permits have been issued for the license, except as otherwise provided by Wyoming state law;

2. Display Of Plates: Unless valid license plates or permits issued for the vehicle are properly displayed on the vehicle in accordance with Wyoming state law, except as otherwise provided by Wyoming state law;

3. Altered, Mutilated Or Obscured: With license plates, validation stickers or license permits altered, mutilated or obscured so as to prevent the license plate number from being easily read.

- B. Altering, Mutilating Or Obscuring Prohibited: No person shall alter or mutilate any valid license plate, sticker or permit. (Ord. 995, 7-8-1993)

6-1-17: LIABILITY INSURANCE:

- A. Required: No owner of a motor vehicle required to be licensed shall operate or permit the operation of a vehicle without having in full force and effect an automobile liability policy as provided by Wyoming Statutes subsection 31-9-102(a)(x).

- B. Exception: This section does not apply to self-insurers pursuant to Wyoming Statutes section 31-9-414. (Ord. 998, 5-12-1994)

- C. Penalty: Violation of this section shall be punishable as provided in section 1-4-1 of this code. (Ord. 998, 5-12-1994; amd. 2005 Code)

6-1-18: CHILD SAFETY RESTRAINTS:

- A. Definitions: As used in this section, the following words and terms shall have the meanings ascribed to them in this subsection:

CHILD SAFETY RESTRAINT SYSTEM: Any device which is designed to protect, hold or restrain a child in a privately owned, leased or rented noncommercial passenger car in such a way as to prevent or minimize injury to the child in the event of a motor vehicle accident or sudden stop and which conforms to the standards prescribed by 49 CFR 571.213 or to applicable federal motor vehicle safety standards in effect at the time of manufacture.

COMMERCIAL VEHICLE: Any vehicle or vehicle combination used for the transportation of persons for hire, compensation or a profit, or designed or used primarily for the transportation of property for gain or profit.

EMERGENCY VEHICLE: Any fire department vehicle, police, sheriff's department or highway patrol vehicle, civil defense, ambulance, hearse or other vehicle used primarily for emergency purposes.

MOTOR VEHICLE: Every vehicle which is self-propelled.

PASSENGER CAR: A motor vehicle designed to carry eleven (11) persons or less and primarily used to transport persons, excluding emergency vehicles, motorcycles, motor homes, vans, pickups, church and school buses.

SCHOOL BUS: A motor vehicle that is owned or leased to or registered to a public school district or private school or church and is used to transport children to or from school or church or in conjunction with school or church activities and is designed for and capable of carrying twelve (12) or more passengers.

SEATING POSITION: Any motor vehicle interior space intended by the motor vehicle manufacturer to provide seating accommodation while the motor vehicle is in motion.

- B. Required: Except as otherwise provided in subsection C of this section, no person shall operate a passenger car within the town unless each child who is a passenger in that car and who is two (2) years of age or under, and who weighs forty (40) pounds or less, and who is forty inches (40") tall or less, is properly secured in a child safety restraint system.
- C. Exceptions: Any child who is within the age, weight and height requirements specified in subsection B of this section need not be properly secured in a child safety restraint system if:
 - 1. A licensed physician has determined that the weight or physical or medical condition of the child requires that the passenger not be secured in such a system. The person operating a passenger car transporting such a child shall carry in the car the physician's signed statement certifying that the child should not be secured in a child restraint system;

2. A child is at least one year old and there is no available space in the passenger car for a child restraint system, in which case the child shall be secured in the seat by a safety belt provided in the passenger car;
3. The passenger car in which the child is riding was not equipped with safety belts at the time of manufacture;
4. The passenger car in which the child is riding does not provide sufficient space or sufficient safety belts; or
5. The passenger car in which the child is riding is owned or operated by persons other than the child's parent or guardian.

D. Penalty:

1. Failure To Provide:

a. First Offense: Any person who violates this section shall be issued a citation and fined not more than twenty five dollars (\$25.00) for the first offense; provided, that the fine shall be waived by the court upon receipt of proof by the court that the offender has subsequently purchased, leased or otherwise acquired a child safety restraint system which meets the requirements of this section.

b. Second Or Subsequent Offense: For a second or subsequent violation of this section, the offender shall be fined not more than one hundred dollars (\$100.00). (Ord. 999, 5-12-1994)

2. Improper Use: Any person who uses a child safety restraint system in a manner other than in accordance with the manufacturer's instructions is guilty of a violation of this section and shall be fined as provided in subsection D1 of this section. (Ord. 999, 5-12-1994; amd. 2005 Code)

3. Violation of this section does not constitute evidence of negligence or recklessness and does not constitute a basis for criminal prosecution except as set forth herein. (Ord. 999, 5-12-1994)

CHAPTER 2
WEIGHT LIMITS

Section:

- 6-2-1: Vehicle Weight Limit
- 6-2-2: Application For Overweight Permit
- 6-2-3: Penalty

6-2-1: VEHICLE WEIGHT LIMIT:

It shall be unlawful for the operator of any vehicle exceeding sixteen thousand pounds gross vehicle weight (16,000 gvw) to operate such vehicle over the town's main water lines within the corporate limits of the town without first receiving a permit issued from the town. (Ord. 959, 5-11-1988; amd. 2005 Code)

6-2-2: APPLICATION FOR OVERWEIGHT PERMIT:

Applications for an overweight permit may be obtained at the town hall for a fee and terms to be established by resolution of the town council. (Ord. 959, 5-11-1988; amd. 2005 Code)

6-2-3: PENALTY:

- A. Misdemeanor: Any person who shall violate any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. 959, 5-11-1988; amd. 2005 Code)
- B. Additional Remedies: The imposition of any fine shall not bar institution of appropriate legal actions or proceedings by the town to restrain, correct or abate the violations through injunctions, mandamus or otherwise, nor shall the institution of such legal actions or proceedings be deemed a bar to the imposition of such fine.
- C. Liability For Damages: Any person violating any of the provisions of this chapter shall become liable to the town for any expense, loss, or damage occasioned by the town by reason of such violation and the town may institute appropriate civil action to recover any such expense or loss, together with reasonable attorney fees and costs incurred by the town in bringing such action. (Ord. 959, 5-11-1988)

CHAPTER 3
SNOWMOBILES

Section:

- 6-3-1: Definition
- 6-3-2: Prohibited Vehicles
- 6-3-3: Rules Of Operation
- 6-3-4: Permitted Operations
- 6-3-5: Night Operation
- 6-3-6: Operator's License
- 6-3-7: Registration
- 6-3-8: Towing
- 6-3-9: Mufflers
- 6-3-10: Brakes
- 6-3-11: Penalty

6-3-1: DEFINITION:

"Snowmobile" means any mechanically driven vehicle of a type which utilizes sled type runners on skis or any endless belt tread and/or combination of these designed primarily for operation over snow. (Ord. 938, 3-13-1985)

6-3-2: PROHIBITED VEHICLES:

No snowmobiles shall be operated within the incorporated limits of the town which are propeller driven having tracks capable of damaging road surfaces or the gross weight thereof exceeds one thousand seven hundred fifty (1,750) pounds. (Ord. 938, 3-13-1985)

6-3-3: RULES OF OPERATION:

Every operator of a snowmobile shall observe all of the rules of the road pertaining to vehicles and, in addition, shall stop at all intersections, and operate with lights on at all times. All ordinances of the town pertaining to the operation of vehicles, to the extent that the same are not in conflict herewith, shall be applicable to the operation of snowmobiles and are adopted by reference and made a part hereof the same as if set forth fully herein. The following rules shall apply to all snowmobiles operated within the town limits:

- A. Use Of Seat Required; Passengers: A person operating a snowmobile shall ride only upon the permanent and regular seat attached thereto and shall not carry any other person, nor shall any other person ride on a snowmobile unless the snowmobile is designed to carry more than one person, in which event a passenger may ride upon the permanent and

- regular seat if designed for two (2) persons, or upon another seat firmly attached to the snowmobile at the rear of the operator.
- B. Manner Of Riding: A person shall ride upon a snowmobile only while sitting astride the seat, facing forward.
 - C. Carrying Packages Or Bundles: No person shall operate a snowmobile while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars, obstructs his vision, or interferes with the safe operation of the snowmobile.
 - D. Obstruction Of View: No operator shall carry any person, nor shall any person ride in a position that will interfere with the safe operation or control of the snowmobile or the view of the operator.
 - E. Full Use Of Lane: All snowmobiles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any snowmobile of the full use of a lane.
 - F. Passing: The operator of a snowmobile shall not overtake and pass any vehicle except a single snowmobile in the same lane.
 - G. Operation Between Lanes Or Vehicles: No person shall operate a snowmobile between lanes of traffic or between adjacent lines or rows of vehicles.
 - H. Riding Abreast: Snowmobiles shall not be operated more than two (2) abreast in a single lane.
 - I. Attaching To Moving Vehicle: No person riding upon a snowmobile shall attach himself/herself or the snowmobile to any other moving vehicle on a roadway.
 - J. Headlights; Taillights: Any person operating a snowmobile shall have the headlamps and taillamps of the snowmobile activated at all times, including daylight hours.
 - K. Orange Flag: All snowmobiles operated within the town shall have affixed to the snowmobile a flag of bright orange, attached to a mast not less than five feet (5') from the surface upon which the snowmobile travels.
 - L. Helmet: No person under the age of nineteen (19) years shall operate or ride on a snowmobile nor shall the operator permit such person to ride upon the snowmobile unless he is wearing a protective helmet, fastened on his head, and of a type which complies with standards established by the Wyoming highway commission.
 - M. Protective Eyewear: All operators of snowmobiles within the town shall wear protective eyewear at all times when the snowmobile is moving. (Ord. 938, 3-13-1985)

6-3-4: PERMITTED OPERATIONS:

Snowmobiles shall operate over designated roadways when the same shall be snow covered or snow packed only, and such vehicles shall not be permitted to operate on the sidewalks or in any other areas where vehicles are prohibited from operating. (Ord. 938, 3-13-1985)

6-3-5: NIGHT OPERATION:

Snowmobiles shall be prohibited from operating on streets within the town or on any other town property between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M., except for using said streets for access out of town and returning by the most direct route to where the snowmobile is to be stored. (Ord. 938, 3-13-1985)

6-3-6: OPERATOR'S LICENSE:

No snowmobile shall be operated until the driver thereof shall have in his possession a valid driver's or chauffeur's license issued under the motor vehicle law of the state of Wyoming. (Ord. 938, 3-13-1985)

6-3-7: REGISTRATION:

No snowmobile shall be operated without a proper and valid registration from the state of Wyoming, issued in accordance with Wyoming Statutes sections 31-2-401 to 31-2-408, as amended. (Ord. 938, 3-13-1985)

6-3-8: TOWING:

No snowmobile shall pull any skier, sled, or other combination vehicle by rope, cable or flexible coupling; all sleighs or cutters shall be safely and securely affixed to the snowmobile by direct coupling, solid tongue, or triangular shaped towbar not to exceed ten inches (10") in length, being securely affixed to two (2) points on the sleigh or cutter, with one flexible joint at the center of the snowmobile. (Ord. 938, 3-13-1985)

6-3-9: MUFFLERS:

Every snowmobile shall, at all times, be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. (Ord. 938, 3-13-1985)

6-3-10: BRAKES:

Every snowmobile shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. (Ord. 938, 3-13-1985)

6-3-11: PENALTY:

Any person who shall violate any of the provisions hereof shall be subject to a fine not to exceed one hundred dollars (\$100.00) for each violation. (Ord. 938, 3-13-1985)

CHAPTER 4
ABANDONED VEHICLES

Section:

- 6-4-1: Definitions
- 6--2: Abandoned Vehicles
- 6-4-3: Other Abandoned Property
- 6-4-4: Notice
- 6-4-5: Nonliability For Removal
- 6-4-6: Penalty

6-4-1: DEFINITIONS:

As used in this chapter, the following words and terms shall have meanings as indicated:

ABANDONED PROPERTY: Any old, unused, stripped, junked or otherwise nonoperating machinery, implement or equipment of any kind which is no longer safely usable for the purposes for which it was manufactured.

ABANDONED VEHICLE: A vehicle which is inoperable and is not currently registered.

ANTIQUÉ: Any vehicle which is at least twenty five (25) years old and owned solely as a collector's item.

PRIVATE PROPERTY: All that land under one ownership, within the town limits, regardless of the number of individually described lots or tracts owned.

VEHICLE: Every device in, upon or by which any person or property is or may be transported or drawn upon any street or way. (Ord. 962, 9-15-1988)

6-4-2: ABANDONED VEHICLES:

- A. Prohibited: No person shall abandon or leave any vehicle upon any public property or public street, alley or way, nor shall any person have more than three (3) abandoned vehicles on any private property.
- B. Exception: Provided, however, that a bona fide antique auto collector possessing no more than six (6) antique vehicles which are being kept in a manner that will protect them from the weather and enhance the monetary value of the vehicle shall not be subject to the provisions of this chapter.
- C. Prima Facie Evidence: Any one of the following circumstances existing prior to, or at the time notice is delivered, shall be considered prima facie evidence that a vehicle upon public or private property is an abandoned vehicle constituting a nuisance:

1. When any of the tires of the main wheels of such vehicle have been removed or are deflated, other than for immediate repair.
2. When any of the main wheels of the vehicle have been removed, other than for immediate repair.
3. When such vehicle is totally or partially suspended above the ground by jacks, blocks or any other lifting devices, other than for immediate repair.
4. When current license plates or valid temporary permits are not displayed on such vehicle.
5. When any part of the mechanism of the vehicle has been removed so as to render the vehicle inoperable, other than for immediate repairs which must be made within seventy two (72) hours after the vehicle has been declared an abandoned vehicle.

D. Removal:

1. No person in charge or control of any private property whether as owner, tenant, occupant, lessee, contract purchaser or otherwise, shall allow more than three (3) abandoned vehicles to remain on such property longer than ten (10) days after having received written notice to remove same from the town. Upon the failure of the person in charge or control of such private property to remove the vehicle(s) within the allotted time, the town may abate the vehicle(s) as a nuisance by having the vehicle delivered to a location that handles abandoned or junk vehicles for disposal, and collect the costs of such removal in any manner provided by law.
2. Where an abandoned vehicles is deposited on private property without the permission of the owner, tenant, occupant, lessee, contract purchaser or otherwise, said person shall not be held responsible for the cost to remove such vehicles or be in violation of this chapter, provided said person can reasonably demonstrate that such permission was not given.

- E. The abatement of the nuisance through the removal of the vehicle by the town shall not relieve the person in charge or control of such abandoned vehicle of any penalty imposed for a violation of this chapter. (Ord. 962, 9-15-1988)

6-4-3: OTHER ABANDONED PROPERTY:

- A. Prohibited; Screening Required: No person shall abandon, or leave any abandoned property upon any public property or public street, alley or way, nor shall any person abandon, leave or store any abandoned property on private property, unless such abandoned property is completely screened from view.

B. Removal:

1. No person in charge or control of any private property whether as owner, tenant, occupant, lessee, contract purchaser or otherwise,

shall allow any abandoned property to remain on such property longer than ten (10) days after having received written notice to remove same from the town.

2. Upon the failure of the person in charge or control of such property to remove the abandoned property within the allotted time, the town may abate the property as a nuisance by having the property delivered to a location that handles such property for disposal and collect the costs of such removal in any manner provided by law.
3. The abatement of the nuisance through the removal of the abandoned property by the town shall not relieve the person in charge or control of such property of any penalty imposed for a violation of this chapter. (Ord. 962, 9-15-1988)

6-4-4: NOTICE:

A. Methods Of Service: Notice shall be provided by the town by any one of the following methods:

1. Personal: Personal delivery thereof to the owner of the vehicle or the owner of the property on which the vehicle is located;

2. United States Mail: Deposit in the United States mail, by registered or certified mail, with postage prepaid, addressed to the owner of the vehicle or the person upon whose property such vehicle rests, at the address as shown by the public records of Sweetwater County; or

3. Placement Of Sticker: Placing a sticker on the vehicle advising of the impending action.

Notice by mail shall be deemed delivered upon deposit.

B. Proof Of Notice: Proof of the providing of notice shall be made by the certificate of any official or employee of the town, or affidavit of any person over eighteen (18) years of age, naming the person to whom such notice was provided and specifying the time, place, and manner of delivery thereof. (Ord. 962, 9-15-1988)

6-4-5: NONLIABILITY FOR REMOVAL:

No person who removes any abandoned vehicle or other abandoned property under this chapter or otherwise at the request of the town shall incur any civil liability for the removal. (Ord. 962, 9-15-1988)

6-4-6: PENALTY:

- A. Misdemeanor: Any person who shall violate any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue in excess of the notice period shall be deemed a separate offense. (Ord. 962, 9-15-1988; amd. 2005 Code) Additional Remedies: The imposition of any fine shall not bar institution of appropriate legal actions or proceedings by the town to restrain, correct or abate the violations through injunctions, mandamus or otherwise, nor shall the institution of such legal actions or proceedings be deemed a bar to the imposition of such fine.
- B. Liability For Expenses: Any person violating any of the provisions of this chapter shall become liable to the town for any expense incurred by the town by reason of such violation, and the town may institute appropriate civil action to recover any such expense, together with reasonable attorney fees and costs, incurred by the town in bringing such action.
- C. Lien: Expenses incurred by the town in enforcing the provisions of this chapter which are not repaid shall constitute a lien against the real property on which the abandoned vehicles or other abandoned property was located. The town is empowered to record a lien in the public records of Sweetwater County and to use any legal means necessary to foreclose on said lien or otherwise collect the delinquent amount. Additional costs and expenses, including interest on the unpaid amount at the highest rate allowed by law, and reasonable attorney fees incurred by reason of such legal action shall be added to the amount due. (Ord. 962, 9-15-1988)

CHAPTER 5
PARKING OF HEAVY VEHICLES

Section:

6-5-1: Parking Restricted

6-5-2: Penalty

6-5-1: PARKING RESTRICTED:

No person shall park a motor vehicle having a manufacturer's designated axle weight exceeding one ton in any public highway, street, road, alley or public way within the town except where such areas may be designated for truck parking. (Ord. 1001, 5-26-1994)

6-5-2: PENALTY:

Violation of this chapter shall be punishable as provided in section 1-4-1 of this code. (Ord. 1001, 5-26-1994)

CHAPTER 6
TANK VEHICLES

Section:

- 6-6-1: Uniform Code Adopted
- 6-6-2: Definition
- 6-6-3: Penalty

6-6-1: UNIFORM CODE ADOPTED:

- A. Adoption: The uniform fire code, 1985 edition, division XII tank vehicles for flammable and combustible liquids, sections 79.1201 through 79.1207 is hereby adopted by reference and incorporated herein as a part of this section as if fully set forth herein.
- B. Copy On File: One copy of such provisions shall be kept in the office of the town clerk-treasurer for examination and inspection. (Ord. 960, 5-11-1988; amd. 2005 Code)

6-6-2: DEFINITION:

"Unattended vehicle" means one that has no operator present, awake, or in control of the vehicle. (Ord. 960, 5-11-1988)

6-6-3: PENALTY:

- A. Misdemeanor: Any person who shall violate any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. 960, 5-11-1988; amd. 2005 Code)
- B. Additional Remedies: The imposition of any fine shall not bar institution of appropriate legal actions or proceedings by the town to restrain, correct or abate the violations through injunctions, mandamus or otherwise, nor shall the institution of such legal actions, or proceedings be deemed a bar to the imposition of such fine.
- C. Liability For Expense, Loss Or Damage: Any person violating any of the provisions of this chapter shall become liable to the town for any expense, loss, or damage occasioned by the town by reason of such violation and the town may institute appropriate civil action to recover any such expense or loss, together with reasonable attorney fees and costs incurred by the town in bringing such action. (Ord. 960, 5-11-1988)