

TITLE VII: TRAFFIC CODE

Chapter

70. GENERAL PROVISIONS

71. TRAFFIC REGULATIONS

72. PARKING REGULATIONS

73. TRAFFIC SCHEDULES

CHAPTER 70: GENERAL PROVISIONS

Section

- 70.01 Definitions
- 70.02 Emergency regulations
- 70.03 Police enforcement
- 70.04 Refusal to obey
- 70.05 Traffic officers
- 70.06 Traffic citations; illegal cancellation
- 70.07 Traffic infraction; citation

§ 70.01 DEFINITIONS.

The words and phrases used in this title, pertaining to motor vehicles and traffic regulations, shall be construed as defined in Neb. RS Ch. 60, Art. 6, as now existing or hereafter amended. (Neb. RS 60-606 through 60-676) (Am. Ord. 2595, 6-21-94)

§ 70.02 EMERGENCY REGULATIONS.

The Chief of Police is hereby empowered to make and enforce temporary traffic regulations to cover emergencies.

§ 70.03 POLICE ENFORCEMENT.

The Police Department is hereby authorized, empowered, and ordered to exercise all powers, and duties, with relation to the management of street traffic and to direct, control, stop, restrict, regulate, and, when necessary, temporarily divert or exclude in the interest of public safety, health, and convenience the movement of pedestrian and animal and vehicular traffic of every kind in streets, in parks, and on bridges. The driver of any vehicle shall stop upon the signal of any police officer. Penalty, see § 10.99

§ 70.04 REFUSAL TO OBEY.

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal, or direction of a police officer. Penalty, see § 10.99

§ 70.05 TRAFFIC OFFICERS.

The City Council or the Chief of Police may at any time detail officers, to be known as "traffic officers," at street intersections. All traffic officers shall be vested with the authority to regulate and control traffic at the intersections to which they are assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order, or signal, of any such traffic officer notwithstanding the directive of a stop sign, or signal device, which may have been placed at any intersection. Penalty, see § 10.99

§ 70.06 TRAFFIC CITATIONS; ILLEGAL CANCELLATION.

Any person who cancels or solicits the cancellation of any traffic citation in any manner other than as provided in this chapter, shall be guilty of an offense. Penalty, see § 10.99

§ 70.07 TRAFFIC INFRACTION; CITATION.

In view of the policy of the state to issue citations in lieu of arrest or continued custody, whenever any person shall be charged with a traffic infraction in violation of the State Rules of the Road relating to traffic violations, any peace officer shall issue that person a citation pursuant to the provisions of Neb. RS 29-424 and thereupon be released from custody. Any such person who refuses to sign the citation shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as provided by the provisions of Neb. RS 29-426. (Neb. RS 29-104, 29-422, 29-424, and 39-6,105) Penalty, see § 10.99

CHAPTER 71: TRAFFIC REGULATIONS

Section

General Provisions

71.01 Rules of the Road; incorporated by reference

Traffic Control

71.15 Truck routes

71.16 One-way traffic

71.17 Traffic lanes; designation

71.18 Crosswalks

71.19 Signs; signals

71.20 Stop signs

71.21 School crossing zones; designation

71.22 Quiet zones; unnecessary noise

Traffic Rules

- 71.35 Careless driving
- 71.36 Backing
- 71.37 Funeral processions
- 71.38 Riding outside vehicle
- 71.39 U turns
- 71.40 J turn prohibited
- 71.41 Engine brakes prohibited
- 71.42 Racing on highways
- 71.43 Hitchhiking
- 71.44 Coasting in neutral

Speed Limits

- 71.55 General speed limit
- 71.56 Near schools
- 71.57 Speed; due care

Bicycles, Skates, Motorcycles, Mini-Bikes, All-Terrain Vehicles and Utility-Type Vehicles

- 71.70 Bicycle license
- 71.71 Bicycle operating regulations
- 71.72 Attaching to vehicles
- 71.73 Bicycles, skates, and the like on sidewalks and crosswalks
- 71.74 Skates and skateboards on streets
- 71.75 Motorcycles; tandem riding
- 71.76 Mini-bikes; operation on streets prohibited; exemption
- 71.77 All-terrain and utility- type vehicles

GENERAL PROVISIONS

§ 71.01 RULES OF THE ROAD; INCORPORATED BY REFERENCE.

The State Rules of the Road, together with all subsequent amendments thereto, as adopted by this state relating to traffic regulations are incorporated by reference into this section and made a part of this chapter as though spread at large herein, except those provisions in conflict with this chapter when the City Council has the authority to alter those regulations. Three copies of the State Rules of the Road and amendments shall be on file with the Municipal Clerk and shall be available for public inspection at any reasonable time.

TRAFFIC CONTROL

§ 71.15 TRUCK ROUTES.

The City Council may, by resolution, designate certain streets in the municipality that trucks shall travel upon, and it shall be unlawful for persons operating trucks to travel on other streets than those designated for trucks, unless to pick up or deliver goods, wares, or merchandise, and

in that event, the operator of the truck shall return to the truck routes as soon as possible in traveling through or about the municipality. The City Council shall cause notices to be posted or shall erect signs indicating the streets so designated as truck routes. Penalty, see § 10.99

§ 71.16 ONE-WAY TRAFFIC.

The City Council may, by resolution, provide for one-way travel in any street or alley located in the municipality and shall provide for appropriate signs and markings when those streets have been so designated by resolution.

§ 71.17 TRAFFIC LANES; DESIGNATION.

The City Council may, by resolution, mark lanes for traffic on street pavements at those places as it may deem advisable.

§ 71.18 CROSSWALKS.

The City Council may, by resolution, establish and maintain by appropriate devices, markers, or lines upon the street crosswalks at intersections where there is particular danger to pedestrians crossing the street, and at those other places as it may deem necessary.

§ 71.19 SIGNS; SIGNALS.

The City Council may, by resolution, provide for the placing of stop signs or other signs, signals, standards, or mechanical devices in any street or alley for the purpose of regulating or prohibiting traffic thereon. The resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited, the regulation or prohibition, the location where the sign, signal, standard, or mechanical device shall be placed, and the hours when the regulation or prohibition shall be effective. It shall be unlawful for any person to fail, neglect, or refuse to comply with the regulation or prohibition. Penalty, see § 10.99

§ 71.20 STOP SIGNS.

Every person operating any vehicle shall, upon approaching any stop sign erected in accordance with the resolution prescribed heretofore, cause the vehicle to come to a complete stop before entering or crossing any street, highway, or railroad crossing. The vehicle operator shall stop at a marked stop line, or, if there is no stop line, before entering the crosswalk; but if neither is indicated, then as near the right-of-way line of the intersecting roadway as possible. Penalty, see § 10.99

§ 71.21 SCHOOL CROSSING ZONES; DESIGNATION.

(A) Neb. RS 60-682.01 provides fines for operating a motor vehicle in violation of authorized speed limits and states that the fines are doubled if the violation occurs within a school crossing zone.

(B) Neb. RS 60-6,134.01 makes it unlawful for a person operating a motor vehicle to overtake and pass another vehicle in a school crossing zone in which the roadway has only one lane of traffic in each direction and provides fines for violation of that prohibition.

(C) The City Council may, by resolution, designate to the public any area of a roadway, other than a freeway, as a school crossing zone through the use of a sign or traffic-control device as specified by the City Council in conformity with the Manual on Uniform Traffic Control

Devices. Any school crossing zone so designated starts at the location of the first sign or traffic-control device identifying the school crossing zone and continues until a sign or traffic-control device indicates that the school crossing zone has ended.

(Neb. RS 60-658.01) (Ord. 2771, 2-16-99) Penalty, see § 10.99

§ 71.22 QUIET ZONES; UNNECESSARY NOISE.

All streets, or portions thereof, lying within 300 feet of any hospital, nursing home, or school, and which have been declared to be quiet zones by the City Council, shall be respected as such by all drivers, and no driver of any vehicle shall, within those zones, make any unnecessary noise or sound the horn or other warning device of the vehicle except in an emergency. It shall be unlawful for any person in any part of the municipality to make, or cause to be made, any unnecessary noise with any signal device, or to use the same except as a road signal. (Neb. RS 39-697) Penalty, see § 10.99

TRAFFIC RULES

§ 71.35 CARELESS DRIVING.

Any person who drives any motor vehicle in this municipality carelessly or without due caution so as to endanger a person or property shall be guilty of careless driving. (Neb. RS 39-669) Penalty, see § 10.99

§ 71.36 BACKING.

It shall be unlawful for any person to back a motor vehicle on the municipal streets except to park in or to remove the vehicle from a permitted parking position, to move the vehicle from a driveway, or to back to the curb for unloading where unloading is permitted; provided, a vehicle shall be backed only when that movement can be made in safety, and in no case shall the distance of the backing exceed 1.5 lengths of the vehicle. (Neb. RS 39-675 and 39-697) Penalty, see § 10.99

§ 71.37 FUNERAL PROCESSIONS.

No vehicle, except police vehicles, Fire Department vehicles, when responding to emergency calls or orders in their several departments, ambulances responding to emergency calls, or vehicles carrying U.S. mails, shall be driven through a funeral procession or cortege except with the permission of a police officer. (Neb. RS 60-6,140 and 60-680) Penalty, see § 10.99

§ 71.38 RIDING OUTSIDE VEHICLE.

No person shall permit any other person to ride on the running board, hood, top, or fenders of any motor vehicle. Nor shall any person ride on the running board, hood, top, or fenders of any motor vehicle. (Neb. RS 60-680) Penalty, see § 10.99

§ 71.39 U TURNS.

No vehicle shall be turned so as to proceed in the opposite direction, except at a street intersection. No vehicle shall be turned so as to proceed in the opposite direction at any intersection where an automatic signal is in operation, or where a sign is posted indicating that U turns are prohibited.

§ 71.40 J TURN PROHIBITED.

It shall be unlawful for the driver of any vehicle to turn such vehicle so as to proceed from one side of the street to the other in order to enter a parking space. (Ord. 2941, 6-20-06)

§ 71.41 ENGINE BRAKES PROHIBITED.

It shall be unlawful for any person to attempt to retard the forward movement of any vehicle within the city limits by using motor vehicle brakes that are in any way activated or operated by the compression of an engine of any such vehicle or any unit or part thereof. (Ord. 2800, 9-19-00) Penalty, see § 10.99

§ 71.42 RACING ON HIGHWAYS.

It shall be unlawful for any person to drive a motor vehicle on a street or highway within the limits of the municipality in a race, speed competition, or contest; in a drag race or acceleration contest; in a test of physical endurance; in an exhibition of speed or acceleration; or for the purpose of making a speed record. (Neb. RS 39-668) Penalty, see § 10.99

§ 71.43 HITCHHIKING.

It shall be unlawful for any person to be found soliciting trucks, automobiles, or other vehicles to stop or slow down for the purpose of asking for a ride, or riding on the vehicle. (Neb. RS 39-647 and 39-6,113) Penalty, see § 10.99

§ 71.44 COASTING IN NEUTRAL.

The driver of a motor vehicle, when traveling upon a down grade upon any street, shall not coast with the gears of the vehicle in neutral. Penalty, see § 10.99

SPEED LIMITS

§ 71.55 GENERAL SPEED LIMIT.

No person shall operate a motor vehicle on any street, alley, or other place within the corporate limits at a rate of speed greater than 25 miles per hour within the residential district, and 20 miles per hour within the business district, unless a different rate of speed is specifically permitted by ordinance. In no instance shall a person drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions. Penalty, see § 10.99

§ 71.56 NEAR SCHOOLS.

It shall be unlawful for the driver of any vehicle, when passing premises on which school buildings are located and which are used for school purposes, during school recess, or while children are going to or leaving school during the opening or closing hours, to drive the vehicle at a rate of speed in excess of 25 miles per hour past the premises, and the driver shall stop at all stop signs located at, or near, the school premises, and it shall be unlawful for the driver to make a U-turn at any intersection where stop signs are located at, or near, the school premises. (Am. Ord. 2941, 6-20-06) Penalty, see § 10.99

§ 71.57 SPEED; DUE CARE.

The fact that the speed of a vehicle does not exceed the applicable maximum speed limits does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around curves, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazards exist with respect to pedestrians or other traffic by reason of weather or highway conditions. Speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care. Penalty, see § 10.99

BICYCLES, SKATES, MOTORCYCLES, MINI-BIKES, ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES

§ 71.70 BICYCLE LICENSE.

Anyone wishing to operate a bicycle within the corporate limits shall make an application to the municipal police for a license. A license shall then be issued by the municipal police upon the payment of a fee of \$3 to the Police Department. The license shall then be attached to the frame of the bicycle in a substantial manner. The removal of this tag, except by the proper authorities, shall be unlawful. (Neb. RS 60-6,317 and 60-680(h)) (Am. Ord. 2476, 6-19-90) Penalty, see § 10.99

§ 71.71 BICYCLE OPERATING REGULATIONS.

(A) No person shall operate a bicycle on a street or highway within the municipality with another person on the handlebars or in any position in front of the operator.

(B) No bicycle shall be operated faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard to the safety of the operator and any other persons upon the streets and highways.

(C) Persons operating bicycles shall observe all traffic signs and stop at all stop signs.

(D) No bicycle shall be operated on any street or highway from sunset to sunrise without a headlight visible from the front thereof for not less than 500 feet on a clear night and a red reflector on the rear of a type which shall be visible on a clear night from all distances between 100 feet and 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(E) Any person who operates a bicycle upon a street or highway shall not ride more than single file except on parts of streets or highways set aside for the exclusive use of bicycles.

(F) (1) Any person who operates a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under conditions then existing shall ride as near to the right-hand curb or right-hand edge of the roadway as practicable except when:

(a) Overtaking and passing another bicycle or vehicle proceeding in the same direction;

(b) Preparing for a left turn onto a private road or driveway or at an intersection;

(c) Reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or right-hand edge of the roadway, including fixed or moving objects, stopped or moving vehicles, bicycles, pedestrians, animals, or surface hazards;

(d) Riding upon a lane of substandard width which is too narrow for a bicycle and a vehicle to travel safely side by side within the lane; or

(e) Lawfully operating a bicycle on the paved shoulders of a highway included in the state highway system as provided in Neb. RS 60-6,142.

(2) Any person who operates a bicycle upon a roadway with a posted speed limit of 35 miles per hour or less on which traffic is restricted to 1 direction of movement and which has 2 or more marked traffic lanes may ride as near to the left-hand curb or left-hand edge of the roadway as practicable. Whenever a person operating a bicycle leaves the roadway to ride on the paved shoulder or leaves the paved shoulder to enter the roadway, the person shall clearly signal his or her intention and yield the right-of-way to all other vehicles.

(G) No person shall park a bicycle on any sidewalk unless a bicycle stand is located on that sidewalk.

(H) No person shall operate a bicycle on the sidewalks within the business district. (Neb. RS 60-6,315, 60-6,317 and 60-6,318) (Am. Ord. 2596, 6-21-94) Penalty, see § 10.99

§ 71.72 ATTACHING TO VEHICLES.

It shall be unlawful for any person to attach or allow another person to attach any sled, toboggan, bobsled, coaster wagon, or other small vehicle to a motor vehicle, for the purpose of moving those vehicles. Penalty, see § 10.99

§ 71.73 BICYCLES, SKATES, AND THE LIKE ON SIDEWALKS AND CROSSWALKS.

It shall be unlawful for any person to ride a bicycle or tricycle, push, coast, or skate with roller skates, ice skates, skateboards, express wagons, sleds, scooters, or other kindred contrivances on the sidewalks and crosswalks within the business district of the municipality. Nothing herein shall be construed to prohibit or prevent this use of sidewalks and crosswalks within park, school, residential, or any other districts of the municipality not prohibited in this section. Penalty, see § 10.99

§ 71.74 SKATES AND SKATEBOARDS ON STREETS.

It shall be unlawful for any person to coast or skate with roller skates or skateboards on the streets within the municipality. (Ord. 2360, 5-6-86) Penalty, see § 10.99

§ 71.75 MOTORCYCLES; TANDEM RIDING.

No person operating a motorcycle shall carry another person in front of the operator. (Neb. RS 60-6,307) Penalty, see § 10.99

§ 71.76 MINI-BIKES; OPERATION ON STREETS PROHIBITED; EXEMPTION.

(A) *Unlawful operation.* It shall be unlawful for any person to operate a mini-bike upon any street or highway within the corporate limits of the municipality.

(B) *Definitions.* For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

MINI-BIKE. A two-wheel motor vehicle which has a total wheel and tire diameter of less than 14 inches or an engine rated capacity of less than 45 cubic centimeters displacement, or any other two-wheel motor vehicle primarily designed by the manufacturer for off-road use only. (Neb. RS 60-2101.01 and 60-2107)

(C) *Exemption; emergencies and parades.* Mini-bikes shall be exempt from the provisions of this subchapter during any public emergency or while being used in parades by regularly organized units of any recognized charitable, social, educational, or community service organization. (Neb. RS 60-2102) Penalty, see § 10.99

§ 71.77 ALL-TERRAIN AND UTILITY-TYPE VEHICLES.

(A) For purposes of this section:

(1) “All-terrain vehicle (ATV)” means any motorized off-highway vehicle which (a) is 50 inches or less in width, (b) has a dry weight of 900 pounds or less, (c) travels on three or more low-pressure tires, (d) is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger, (e) has a seat or saddle designed to be straddled by the operator, and (f) has handlebars or any other steering assembly for steering control.

(2) (a) “Utility-type vehicle (UTV)” means any motorized off-highway vehicle which (i) is not less than 48 inches nor more than 74 inches in width, (ii) is not more than 135 inches in length, including the bumper, (iii) has a dry weight of not less than 900 pounds nor more than 2000 pounds, (iv) travels on four or more low-pressure tires, and (v) is equipped with a steering wheel and bench- or bucket-type seating designed for at least two people to sit side-by-side.

(b) “Utility-type vehicle” does not include a golf cart or low-speed vehicle.

(3) “Street” or “highway” means the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(B) An ATV or a UTV may be operated on streets and highways within the corporate limits of the City only if the operator and the vehicle comply with the provisions of this section.

(C) An ATV or a UTV may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of 30 miles per hour. When in operation as authorized in subsection (B) of this section, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be Day-Glo in color.

(D) Any person operating an ATV or a UTV as authorized in subsection (B) of this section shall have:

(1) A valid Class O operator's license or a farm permit as provided in Neb. Rev. Stat. 60-4,126; and

(2) Liability insurance coverage for the ATV or UTV while in operation on a street or highway. The person operating the ATV or UTV shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request.

(E) ATVs and UTVs may be operated without complying with subsections (C) and (D) of this section on streets and highways in parades which have been authorized by the State or any department, board, commission, or political subdivision of the State.

(F) An ATV or a UTV shall not be operated on any controlled-access highway with more than two marked traffic lanes, and the crossing of any controlled-access highway with more than two marked traffic lanes shall not be permitted, except as provided in subsection (G) of this section.

(G) Subject to subsection (F) of this section, the crossing of a highway shall be permitted by an ATV or a UTV without complying with subsection (C) of this section only if:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the highway;

(3) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;

(4) In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway; and

(5) Both the headlight and taillight of the vehicle are on when the crossing is made.

(H) Every ATV and UTV shall be equipped with:

(1) A brake system maintained in good operating condition;

(2) An adequate muffler system in good working condition; and

(3) A United States Forest Service-qualified spark arrester.

(I) No person shall:

- (1) Equip the exhaust system of an ATV or a UTV with a cutout, bypass, or similar device;
 - (2) Operate an ATV or a UTV with an exhaust system so modified; or
 - (3) Operate an ATV or a UTV with the spark arrester removed or modified.
- (Ord. 2973, 6-6-08) (Am. Ord. 3005, 2-15-11)

CHAPTER 72: PARKING REGULATIONS

Section

General Provisions

- 72.01 Brakes and turned wheels required
- 72.02 Parallel parking required; exceptions
- 72.03 Designation of type of parking
- 72.04 Business district; designation of type of parking
- 72.05 Areas of prohibited parking
- 72.06 Alleys; restrictions
- 72.07 Unloading; freight vehicles
- 72.08 Truck parking and unloading
- 72.09 Parking trailers in residential areas prohibited
- 72.10 Fire hydrants and stations
- 72.11 Schools, theaters
- 72.12 Street intersections
- 72.13 Obstructing traffic
- 72.14 Curb parking; painting of curbs
- 72.15 Display or repair
- 72.16 Current registration
- 72.17 Time limit
- 72.18 Snow removal and maintenance
- 72.19 Emergency vehicles

Snow Emergency Routes

- 72.30 Establishment
- 72.31 Declaration of prohibition
- 72.32 Prohibition of parking on residential streets
- 72.33 Operation of motor vehicles
- 72.34 Stalled vehicles; removal required
- 72.35 Announcement of emergency declaration; termination
- 72.36 Temporary provisions; precedence
- 72.37 Removal of parked or stalled vehicles by city

Parking for Persons with Disabilities

- 72.50 Definitions
- 72.51 Designation of on-street parking spaces and access aisles; permit display
- 72.52 Designation of off-street parking stalls, spaces, and access aisles; permit display
- 72.53 Personal permit application; issuance; renewal

- 72.54 Motor vehicle permit application; issuance
- 72.55 Prohibited permit issuance; duplicate permits
- 72.56 Permit term; renewal; fee
- 72.57 Permit nontransferable; unlawful use; suspension
- 72.58 Removal of unauthorized vehicle; unlawful parking
- 72.59 Citation; issuance; complaint; trial; dismissal

Administration and Enforcement

- 72.75 Tickets
- 72.76 Removal of illegally parked vehicles

GENERAL PROVISIONS

§ 72.01 BRAKES AND TURNED WHEELS REQUIRED.

No person having control or charge of a motor vehicle shall allow the vehicle to stand unattended without first effectively setting the brakes thereon and, when standing upon any grade, without turning the front wheels of the vehicle to the curb or side of the street. Penalty, see § 10.99

§ 72.02 PARALLEL PARKING REQUIRED; EXCEPTIONS.

No person shall park any vehicle or approach the curb with a vehicle, except when headed in the direction of the traffic. Vehicles, when parked, shall stand parallel with and adjacent to the curb or edge of the roadway in such a manner as to have both right wheels within 12 inches of the curb or edge of the roadway and so as to leave at least 4 feet between the vehicle so parked and any other parked vehicles, except where the City Council designates that vehicles shall be parked at an angle so as to have the front right wheel at the curb or edge of the roadway. Where stalls are designated either on the curb or pavement, vehicles shall be parked within the stalls. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking. (Am. Ord. 2597, 6-21-94) Penalty, see § 10.99

§ 72.03 DESIGNATION OF TYPE OF PARKING.

The City Council may, by resolution, designate any street, or portion thereof, where vehicles shall be parked parallel with and adjacent to the curb or at an angle so as to have the right front wheel at the curb.

§ 72.04 BUSINESS DISTRICT; DESIGNATION OF TYPE OF PARKING.

The City Council may, by resolution, designate any street, or portion thereof, within the business district where vehicles shall be parked parallel with and adjacent to the curb so as to have both right wheels within 6 inches of the curb; or where vehicles shall be parked at an angle so as to have the right front wheel of the vehicle at the curb. Where stalls are designated either on the curb or pavement in the congested district, vehicles shall be parked within the stalls. (Neb. RS 60-680) Penalty, see § 10.99

§ 72.05 AREAS OF PROHIBITED PARKING.

The City Council may, by resolution, set aside any street, alley, public way, or portion thereof where the parking of a particular kind or class of vehicle shall be prohibited, or where the parking of any vehicle shall be prohibited. No vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of the street, alley, public way, or portion thereof, longer than a period of time necessary to load and unload freight or passengers. Penalty, see § 10.99

§ 72.06 ALLEYS; RESTRICTIONS.

(A) No vehicle, while parked, shall have any portion thereof projecting into any alley entrance.

(B) No vehicle shall be parked in any alley, except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of 1/2 hour. Every vehicle while loading or unloading in any alley shall be parked in a manner as will cause the least obstruction possible to traffic in the alley.

Penalty, see § 10.99

§ 72.07 UNLOADING; FREIGHT VEHICLES.

Vehicles of an overall length less than 20 feet, including load, while discharging or loading freight may back to the curb but shall occupy as little of the street as possible. Penalty, see § 10.99

§ 72.08 TRUCK PARKING AND UNLOADING.

(A) It shall be unlawful for the operator of any truck with an overall length of more than 20 feet to stop or park any such vehicle on a street which the City Council has designated to be within the business district, except to load or unload, and then only when loading or unloading in an alley is impossible. Vehicles may stop or stand for a period of time not to exceed what is reasonably necessary to load or unload.

(B) It shall be unlawful for the operator of any truck, regardless of length, to park the vehicle within a street intersection, on a crosswalk, in front of a private driveway, or on a sidewalk.

(C) The Council may, by resolution, provide truck parking areas adjoining or adjacent to the business district, and when such parking areas are provided, it shall be the duty of all truck operators to use those parking areas for all parking purposes.

(D) No truck, including oil tankers, shall park, or stop for any period of time, within the limits of any street outside the business district except for the purpose of loading or unloading the cargo thereof in the ordinary course of business, except in the area or areas provided for by the Council by resolution. Penalty, see § 10.99

§ 72.09 PARKING TRAILERS IN RESIDENTIAL AREAS PROHIBITED.

Any trailer, except a semi-trailer, may remain parked on a street or alley in the residential area for a reasonable duration of time, not to exceed 72 hours without prior special permission of

the City Police Department, provided that proper reflectors are displayed on all trailers and OSHA-approved wheel chocks are used on unattached parked trailers. (Ords. 2522, 9-17-91; 3019, 7-3-12) Penalty, see § 10.99

§ 72.10 FIRE HYDRANTS AND STATIONS.

No vehicle shall be parked within 15 feet in either direction of any fire hydrant nor within 20 feet of the driveway entrance to any fire station. The curb space within the area of 15 feet in either direction of the fire hydrant shall be painted red to indicate this prohibition. (Neb. RS 60-6,166) Penalty, see § 10.99

§ 72.11 SCHOOLS, THEATERS.

The City Council may, by resolution, prohibit the parking or stopping except for loading or unloading of passengers or freight, of vehicles at the curb on streets directly in front of any entrance to a school house, school building, or theater, and the curbs adjacent to the entrance of the school house, school building, or theater shall be painted red to indicate this prohibition.

§ 72.12 STREET INTERSECTIONS.

Except in compliance with traffic-control devices, no vehicle shall be parked or left standing for any purpose, except momentarily to load or discharge passengers, within 25 feet of the intersection or curb lines or, if none, then within 15 feet of the intersection of property lines, nor where the curb lines are painted red to indicate this prohibition. Penalty, see § 10.99

§ 72.13 OBSTRUCTING TRAFFIC.

No person shall, except in case of an accident or emergency, stop any vehicle in any location where stopping will obstruct any street, intersection, or entrance to an alley or public or private drive. Penalty, see § 10.99

§ 72.14 CURB PARKING; PAINTING OF CURBS.

(A) No vehicle shall park on any street with its left side to the curb, unless the street has been designated to be a one-way street by the City Council. Vehicles must not be parked at any curb in a position so as to prevent another vehicle already parked at the curb from moving away.

(B) It shall be the duty of the City Council or its agent to cause the curb space to be painted and keep the same painted as provided in this section. No person, firm, or corporation shall paint the curb of any street or in any manner set aside or attempt to prevent the parking of vehicles in any street, or part thereof, except at those places where the parking of vehicles is prohibited by the provisions of this chapter. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the municipality through its proper officers, at the direction of the City Council. Penalty, see § 10.99

§ 72.15 DISPLAY OR REPAIR.

It shall be unlawful for any person to park upon any street, alley, or public place within this municipality any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle, or race the motor of same, while standing on the public streets or alleys of this municipality, except in case of breakdown or other emergency requiring same. No person or

employee connected with a garage or repair shop shall use sidewalks, streets, or alleys in the vicinity of the garage or shop for the purpose of working on automobiles or vehicles of any description. Penalty, see § 10.99

§ 72.16 CURRENT REGISTRATION.

It shall be unlawful to park or place on the streets, alleys, or other public property any vehicle without first securing a current registration as provided by law. Penalty, see § 10.99

§ 72.17 TIME LIMIT.

(A) The City Council may, by resolution, entirely prohibit or fix a time limit for the parking and stopping of vehicles on any street, streets, or district designated by the resolution, and the parking or stopping of any vehicle in any such street, streets, or district, for a period of time longer than fixed in the resolution, shall constitute a violation of this chapter.

(B) The parking of a motor vehicle on a public street for over 24 consecutive hours is unlawful, except where a different maximum time limit is posted.
Penalty, see § 10.99

§ 72.18 SNOW REMOVAL AND MAINTENANCE.

(A) It shall be unlawful to park or stand any vehicle on any street or alley in the municipality at any time within 12 hours after a snowfall of 3 inches or more has occurred within a 24-hour period unless the snow has been removed within that time.

(B) The City Council or the Chief of Police may order any street or alley, or portion thereof, vacated for weather emergencies or street maintenance. Notice shall be given by personally notifying the owner or operator of a vehicle parked on the street or alley or by posting appropriate signs along those streets or alleys. The signs shall be posted not less than 4 hours prior to the time that the vacation order is to be effective. Any person parking a vehicle in violation of this section shall be subject to the penalties provided for violation in this chapter, and the vehicle may be removed and parked, under the supervision of the Chief of Police, to a suitable nearby location without further notice to the owner or operator of the vehicle.
Penalty, see § 10.99

§ 72.19 EMERGENCY VEHICLES.

The provisions of this chapter regulating the movement, parking, and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this title, while the driver of the vehicle is operating the same in an emergency in the necessary performance of public duties.

SNOW EMERGENCY ROUTES

§ 72.30 ESTABLISHMENT.

The Public Works Director is hereby authorized to establish snow emergency routes upon any street or highway of the city and shall place appropriate signs indicating the existence of these snow emergency routes.

§ 72.31 DECLARATION OF PROHIBITION.

Whenever the Mayor of the city or his or her designated representative shall find, on the basis of falling snow, sleet, or freezing rain or on the basis of an official forecast by the U.S. Weather Bureau of snow, sleet, or freezing rain, the weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on city snow emergency routes be prohibited or restricted for snow plowing and other purposes, the Mayor or his or her designated representative may place into effect a parking prohibition on all snow emergency routes by declaring that emergency conditions exist. In the declaration of emergency conditions, the Mayor or his or her designated representative shall state the time that the emergency shall be in effect, and from the time so designated all parking of vehicles on snow emergency routes shall be prohibited. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route. Once in effect, the parking prohibition imposed under this section shall remain in effect until terminated by declaration of the Mayor or his or her designated representative. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law. Penalty, see § 10.99

§ 72.32 PROHIBITION OF PARKING ON RESIDENTIAL STREETS.

Whenever the Mayor or his or her designated representative shall find on the basis of accumulated snow that conditions make it necessary that parking on residential streets be prohibited or restricted for snow plowing and other purposes, he or she may put into effect a parking prohibition on parts of or on all residential streets by declaring that parking be prohibited on one side of the residential streets, designating either the odd or even address numbered side, at his or her discretion. In the declaration, the Mayor or his or her designated representative shall state the date and time on which the parking prohibition shall take effect. The prohibition shall remain in effect until terminated by announcement of the Mayor or his or her designated representative, who may then declare that there shall be in effect a parking prohibition on the opposite side of those residential streets designated above, which prohibition shall remain in effect until terminated by announcement of the Mayor or his or her designated representative.

§ 72.33 OPERATION OF MOTOR VEHICLES.

(A) Whenever an emergency has been declared pursuant to § 72.31, no person operating a motor vehicle on a snow emergency route shall allow the vehicle to become stalled or stuck.

(B) No person operating a motor vehicle on a snow emergency route during the declaration of emergency snow conditions shall allow the vehicle to become stalled because the motor fuel supply is exhausted or the battery has become inoperative.
Penalty, see § 10.99

§ 72.34 STALLED VEHICLES; REMOVAL REQUIRED.

Whenever a motor vehicle becomes stalled for any reason, whether or not in violation of this subchapter, on any snow emergency route on which there is a parking prohibition in effect, the person operating the vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of the snow emergency route, either onto the nearest cross street which is not a snow emergency route, or other appropriate location. No person shall abandon or leave his or her vehicle in the roadway of a snow emergency route, except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station, or other place of assistance and return without delay. Penalty, see § 10.99

§ 72.35 ANNOUNCEMENT OF EMERGENCY DECLARATION; TERMINATION.

(A) The Mayor or his or her designated representative shall cause each declaration of a snow emergency made by him or her, pursuant to this subchapter, to be publicly announced by means of broadcast or telecast from broadcasting stations with a normal operating range covering the city, and he or she may cause the declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Mayor or his or her designated representative, including the time it became or will become effective, and shall specify the streets or areas affected. The Mayor or his or her designated representative shall make or cause to be made a record of each time and date when any declaration is announced to be public.

(B) Whenever the Mayor or his or her designated representative shall find that some or all of the conditions which give rise to a parking prohibition placed in effect pursuant to the provisions of this subchapter no longer exist, he or she may declare the prohibition terminated, in whole or in part, effective immediately upon announcement or at a later specified time.

§ 72.36 TEMPORARY PROVISIONS; PRECEDENCE.

Any provision of this subchapter which becomes effective by declaration of the Mayor or his or her designated representative upon the occurrence of a snow emergency, while temporarily in effect, takes precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency traffic directions by a police officer.

§ 72.37 REMOVAL OF PARKED OR STALLED VEHICLES BY CITY.

Members of the Police Department are hereby authorized to remove or have removed, at the owner's expense, a vehicle from a street to another place or location on a street or to a lot, garage, or other similar facility designated by the Police Department when:

(A) The vehicle is parked on a snow emergency route on which a parking prohibition is in effect;

(B) The vehicle is stalled on a snow emergency route on which there is a parking prohibition in effect and the person who is operating the vehicle does not appear to be removing it in accordance with the provisions of this subchapter; or

(C) The vehicle is parked on any street or other public area in violation of any parking prohibition or provision of law contained in this subchapter and is interfering or about to interfere with snow removal operations.

PARKING FOR PERSONS WITH DISABILITIES

§ 72.50 DEFINITIONS.

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

ACCESS AISLE. A space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the federal Americans with

Disabilities Act of 1990 and the federal rules and regulations adopted and promulgated in response to the Act. (Neb. RS 18-1736)

HANDICAPPED OR DISABLED PERSON. Any individual with a severe visual or physical impairment which limits personal mobility and results in an inability to travel unassisted more than 200 feet without the use of a wheelchair, crutch, walker, or prosthetic, orthotic, or other assistant device, any individual whose personal mobility is limited as a result of respiratory problems, any individual who has a cardiac condition to the extent that his or her functional limitations are classified in severity as being Class III or Class IV, according to standards set by the American Heart Association, and any individual who has permanently lost all or substantially all the use of one or more limbs.

HANDICAPPED PARKING INFRACTION. The violation of any section of this subchapter regulating the use of parking spaces, including access aisles, designated for use by handicapped or disabled persons; the unauthorized possession, use, or display of handicapped or disabled parking permits; or the obstruction of any wheelchair ramps constructed or created in accordance and in conformity with the federal Americans with Disabilities Act of 1990. (Neb. RS 18-1741.01)

TEMPORARILY HANDICAPPED OR DISABLED PERSON. Any handicapped or disabled person whose personal mobility is expected to be limited in that manner for no longer than one year.

(Neb. RS 18-1738) (Ord. 2530, 2-18-92) (Am. Ord. 2600, 6-21-94; 2708, 8-5-97)

§ 72.51 DESIGNATION OF ON-STREET PARKING SPACES AND ACCESS AISLES; PERMIT DISPLAY.

(A) The City Council may designate parking spaces, including access aisles, for the exclusive use of handicapped or disabled persons whose motor vehicles display the distinguishing license plates issued to handicapped or disabled persons pursuant to Neb. RS 60-3,113; handicapped or disabled persons whose motor vehicles display a distinguishing license plate issued to a handicapped or disabled person by another state; those other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the municipality, whose motor vehicles display the permit specified in Neb. RS 18-1739; and those other motor vehicles, as certified by the municipality, which display this permit. All permits of this type shall be displayed by hanging the permit from the motor vehicle's rearview mirror so as to be clearly visible through the front windshield. The permit shall be displayed on the dashboard only when there is no rearview mirror.

(B) If the City Council so designates a parking space or access aisle, it shall be indicated by posting aboveground and immediately adjacent to and visible from each space or access aisle a sign as described in Neb. RS 18-1737. In addition to the sign, the space or access aisle may also be indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space or access aisle.

(Neb. RS 18-1736) (Ord. 2530, 2-18-92) (Am. Ord. 2598, 6-21-94; 2706, 8-5-97)

§ 72.52 DESIGNATION OF OFF-STREET PARKING STALLS, SPACES AND ACCESS AISLES; PERMIT DISPLAY.

The municipality and any person in lawful possession of any off-street parking facility may designate stalls or spaces, including access aisles, in the facility owned or operated by the municipality or person for the exclusive use of handicapped or disabled persons whose motor vehicles display the distinguishing license plates issued to those individuals pursuant to Neb. RS

60-3,113; those other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the municipality, whose motor vehicles display the permit specified in Neb. RS 18-1739; and those other motor vehicles, as certified by the municipality, which display this permit. The designation shall be made by posting aboveground and immediately adjacent to and visible from each stall or space, including access aisles, a sign which is in conformance with the requirements in Neb. RS 18-1737. (Neb. RS 18-1737) (Ord. 2530, 2-18-92) (Am. Ord. 2599, 6-21-94; 2707, 8-5-97)

§ 72.53 PERSONAL PERMIT APPLICATION; ISSUANCE; RENEWAL.

(A) The Municipal Clerk shall take an application, on a form provided by the Department of Motor Vehicles, from a handicapped or disabled person or temporarily handicapped or disabled person or his or her parent, legal guardian, or foster parent for a permit which will entitle the holder thereof or a person driving a motor vehicle for the purpose of transporting the holder to park in those spaces or access aisles provided for by this subchapter when the holder of the permit will enter or exit the motor vehicle while it is parked in those spaces or access aisles. For purposes of this section, the handicapped or disabled person or temporarily handicapped or disabled person shall be considered the holder of the permit.

(B) A person applying for a permit or for the renewal of a permit shall complete an application, shall provide proof of identity, and shall submit a completed medical form containing the statutory criteria for qualification and signed by a physician, physician assistant, or advanced practice registered nurse certifying that the person who will be the holder meets the definition of handicapped or disabled person or temporarily handicapped or disabled person. No applicant shall be required to provide his or her social security number. In the case of a temporarily handicapped or disabled person, the certifying physician, physician assistant, or advanced practice registered nurse shall indicate the estimated date of recovery or that the temporary handicap or disability will continue for a period of 6 months, whichever is less.

(C) A person may hold only one permit under this section and may hold either a permit under this section or a permit under section § 72.54, but not both.

(D) A copy of the completed application form shall be given to each applicant. The Municipal Clerk shall submit to the Department of Motor Vehicles the name, address, and license number of all persons applying for a permit pursuant to this section.

(E) An application for the renewal of a permit under this section may be filed within 30 days prior to the expiration of the permit. The existing permit shall be invalid upon receipt of the new permit. (Neb. RS 18-1738)

(F) The Municipal Clerk shall not accept the application for a permit of any person making application contrary to the provisions of Neb. RS 18-1738.02. (Neb. RS 18-1738.02) (Ord. 2530, 2-18-92) (Am. Ord. 2709, 8-5-97) Penalty, see § 10.99

§ 72.54 MOTOR VEHICLE PERMIT APPLICATION; ISSUANCE.

(A) The Municipal Clerk shall take an application from any person for a motor vehicle permit which will entitle the holder thereof or a person driving the motor vehicle for the purpose of transporting handicapped or disabled persons or temporarily handicapped or disabled persons to park in those spaces or access aisles provided for by this subchapter if the motor vehicle is used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons. The parking permit shall be used only when the motor vehicle for which it was issued is being used for the transportation of a handicapped or disabled person or

temporarily handicapped or disabled person and that person will enter or exit the motor vehicle while it is parked in those designated spaces or access aisles.

(B) A person applying for a permit or for the renewal of a permit pursuant to this section shall apply for a permit for each motor vehicle used for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, shall complete those forms as are provided to the Municipal Clerk by the Department of Motor Vehicles, and shall demonstrate to the Municipal Clerk that each such motor vehicle is used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons. A copy of the completed application form shall be given to each applicant.

(C) No more than one permit of this type shall be issued for each motor vehicle. A person may hold either a permit under this section or a permit under § 72.53, but not both.

(D) An application for the renewal of a permit under this section may be filed within 30 days prior to the expiration of the permit. The existing permit shall be invalid upon receipt of the new permit.

(E) The Municipal Clerk shall submit to the Department of Motor Vehicles the name, address, and license number of all persons applying for a permit pursuant to this section. (Neb. RS 18-1738.01)

(F) The Municipal Clerk shall not accept the application for a permit of any person making application contrary to Neb. RS 18-1738.02. (Neb. RS 18-1738.02) (Ord. 2530, 2-18-92) (Am. Ord. 2710, 8-5-97) Penalty, see § 10.99

§ 72.55 PROHIBITED PERMIT ISSUANCE; DUPLICATE PERMITS.

(A) No permit shall be issued to any person or for any motor vehicle if any parking permit has been issued to that person or for that motor vehicle and the permit has been suspended pursuant to § 72.57. At the expiration of the suspension, a permit may be renewed in the manner provided for renewal in this subchapter.

(B) A duplicate permit may be provided without cost if the original permit is destroyed, lost, or stolen. The duplicate permit shall be issued in the same manner as the original permit, except that a newly completed medical form need not be provided if a completed medical form submitted at the time of the most recent application for a permit or its renewal is on file with the Municipal Clerk or the Department of Motor Vehicles. A duplicate permit shall be valid for the remainder of the period for which the original permit was issued. (Neb. RS 18-1739) (Ord. 2530, 2-18-92) (Am. Ord. 2560, 3-16-93; 2711, 8-5-97)

§ 72.56 PERMIT TERM; RENEWAL; FEE.

(A) Permanently issued permits for handicapped or disabled parking authorized by this subchapter shall be issued for a period ending September 30 of the third year following the date of issuance and shall expire on that date. Permanently issued permits issued on or after August 1, 2005, shall be valid for a period ending on the last day of the month of the applicant's birthday in the third year after issuance and shall expire on that day.

(B) All permits authorized under this subchapter, for temporarily handicapped or disabled parking shall be issued for a period ending not more than 6 months after the date of issuance but may be renewed for a 1-time period not to exceed 6 months. For the renewal period, there shall be submitted an additional application with proof of a handicap or disability and the required

permit fee.

(Neb. RS 18-1740) (Ord. 2530, 2-18-92) (Am. Ord. 2601, 6-21-94; 2712, 8-5-97)

§ 72.57 PERMIT NONTRANSFERABLE; UNLAWFUL USE; SUSPENSION.

(A) Permits issued under this subchapter shall not be transferable and shall be used only by the party to whom issued or for the motor vehicle for which issued and only for the purpose for which it is issued. No person shall alter or reproduce in any manner a permit issued pursuant to this subchapter. No person shall knowingly hold more than 1 permit or knowingly provide false information on an application for a permit.

(B) No person who is not the holder of a handicapped or disabled parking permit issued to him or her as a handicapped or disabled person shall display a handicapped or disabled parking permit and park in a space or access aisle designated for the exclusive use of a handicapped or disabled person.

(C) No person who is the holder of a handicapped or disabled parking permit issued for the use of that person when transporting a handicapped or disabled person shall display his or her handicapped or disabled parking permit and park in a space or access aisle designated for the exclusive use of a handicapped or disabled person unless a handicapped or disabled person is actually in the vehicle displaying the permit at the time it is parked, has left the vehicle while it was parked, and will return to the vehicle before it leaves the designated space or access aisle.

(D) No person who is not the holder of a handicapped or disabled parking permit issued for use when a vehicle is transporting a handicapped or disabled person shall display a handicapped or disabled parking permit and park in a space or access aisle designated for the exclusive use of a handicapped or disabled person unless a handicapped or disabled person is actually in the vehicle displaying the permit at the time it is parked, has left the vehicle while it was parked, and will return to the vehicle before it leaves the designated space or access aisle.

(E) Any violation of this section shall constitute a handicapped parking infraction and shall be cause for suspension of the permit for a period of 6 months and imposition of the penalty provided for violation of this chapter. In addition, the trial court shall impose a fine of not more than \$250 which may be waived by the court if, at the time of sentencing, all handicapped parking permits issued to or in the possession of the offender are returned to the court. At the expiration of the 6-month period, a suspended permit may be renewed in the manner provided for renewal in this subchapter.

(Neb. RS 18-1741) (Ord. 2530, 2-18-92) (Am. Ord. 2713, 8-5-97) Penalty, see § 10.99

§ 72.58 REMOVAL OF UNAUTHORIZED VEHICLE; UNLAWFUL PARKING.

(A) The owner or person in lawful possession of an off-street parking facility, after notifying the Chief of Police, and the municipality, if it provides on-street parking or owns, operates, or provides an off-street parking facility, may cause the removal, from a stall or space, including access aisles, designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicle not displaying the proper permit or the distinguishing license plates specified in this subchapter if there is posted aboveground and immediately adjacent to and visible from the stall or space, including access aisles, a sign which clearly and conspicuously states the area so designated as a towing zone.

(B) A person who parks a vehicle in any on-street parking space or access aisle which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, or in any so exclusively designated parking space or access aisle in any off-street parking facility, without properly displaying the proper permit or when the handicapped or disabled person to whom or for whom, as the case may be, the license plate or permit is issued will not enter or exit the vehicle while it is parked in the designated space or access aisle shall be guilty of a handicapped parking infraction and shall be subject to the penalties and procedures set forth in § 70.07. The display on a motor vehicle of a distinguishing license plate or permit issued to a handicapped or disabled person by and under the duly constituted authority of another state shall constitute a full and complete defense in any action for a handicapped parking infraction. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation and shall be guilty and subject to the penalties and procedures described in this section.

(C) In the case of a privately owned off-street parking facility, the municipality shall not require the owner or person in lawful possession of the facility to inform the municipality of a violation of this section prior to the municipality issuing the violator a handicapped parking infraction citation.

(Neb. RS 18-1737) (Ord. 2465, 12-5-89) (Am. Ord. 2530, 2-18-92; 2559, 3-16-93; 2602, 6-21-94; 2715, 8-5-97) Penalty, see § 10.99

§ 72.59 CITATION; ISSUANCE; COMPLAINT; TRIAL; DISMISSAL.

(A) For any offense classified as a handicapped parking infraction, a handicapped parking citation may be issued by any peace officer or by any person designated by ordinance by the City Council to exercise the authority to issue a citation for any handicapped parking infraction.

(B) When a handicapped parking citation is issued for a handicapped parking infraction, the person issuing the handicapped parking citation shall enter thereon all required information, including the name and address of the cited person or, if not known, the license number and description of the offending motor vehicle, the offense charged, and the time and place the person cited is to appear in court. Unless the person cited requests an earlier date, the time of appearance shall be at least 3 days after the issuance of the handicapped parking citation. One copy of the handicapped parking citation shall be delivered to the person cited or attached to the offending motor vehicle.

(C) At least 24 hours before the time set for the appearance of the cited person, either the Municipal Attorney or other person authorized by law to issue a complaint for the particular offense shall issue and file a complaint charging the person with a handicapped parking infraction or the person shall be released from the obligation to appear as specified.

(D) The trial of any person for a handicapped parking infraction shall be by the court without a jury. A person cited for a handicapped parking violation may waive his or her right to trial.

(E) For any handicapped parking citation issued for a handicapped parking infraction by reason of the failure of a vehicle to display a handicapped parking permit issued pursuant to Neb. RS 18-1738 or 18-1738.01, the complaint shall be dismissed if, within 7 business days after the date of issuance of the citation, the person cited files with the court the affidavit included on the citation, signed by a peace officer certifying that the recipient is the lawful possessor in his or her

own right of a handicapped parking permit issued under Neb. RS 18-1738 or 18-1738.01 and that the peace officer has personally viewed the permit.
 (Neb. RS 18-1741.01, 18-1741.04, and 18-1741.06) (Ord. 2603, 6-21-94) (Am. Ord. 2714, 8-5-97) Penalty, see § 10.99

ADMINISTRATION AND ENFORCEMENT

§ 72.75 TICKETS.

All tickets issued for violations of nonmoving traffic regulations contained in this chapter shall, in addition to information normally stated on such tickets, carry the following information:

(A) The amount of the fine if paid within 30 days; and

(B) The location where payment may be made
 (Am. Ord. 2941, 6-20-06) Penalty, see § 10.99

§ 72.76 REMOVAL OF ILLEGALLY PARKED VEHICLES.

(A) Whenever any police officer shall find a vehicle standing upon a street or alley in violation of any of the provisions of the chapter, the individual may remove or have the vehicle removed or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway of the street or alley or from the street or alley.

(B) The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fee shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of the vehicle until the charges are paid. The lien provided for in this section shall not apply to the contents of any vehicles.
 (Neb. RS 60-6,165) (Ord. 2313, 8-21-84) (Am. Ord. 2438, 10-4-88) Penalty, see § 10.99

CHAPTER 73: TRAFFIC SCHEDULES

SCHEDULE I. SPEED LIMITS.

It shall be unlawful for any person to operate any vehicle upon the streets of the city in excess of the following speed limits:

<i>Street</i>	<i>Location</i>	<i>Hours</i>	<i>Speed Limit</i>
	In the business district as defined in this title		20 mph
	When passing premises on which school buildings are located and which are used for school purposes	During school recess or while children are going to or leaving school during opening or closing hours	25 mph, unless otherwise posted

All streets and roads within the area of the city parks			20 mph
Highway 136	Commencing at the west city limits and extending east along the highway to, on or about Elm Street		45 mph
Highway 136	Commencing on or about Elm Street and extending east along the highway to the east city limits		35 mph
Highway 15	From south city limits north to 150 feet south of Third Street		35 mph
Highway 15	From 150 feet south of Third Street north to, on or about Eleventh Street		25 mph
Highway 15	From, on or about Eleventh Street north to, on or about Sixteenth Street		35 mph
Highway 15	From, on or about Sixteenth Street north to the north city limits		45 mph
Ninth Street	From K Street to L Street	Between the hours of 7:30 a.m. and 4:00 p.m. on school days only	20 mph
All other streets within city limits			25 mph

(Am. Ord. 2282, 10-4-83; 2392, 4-7-87; 2430, 8-16-88; 2461, 12-5-89; 2475, 6-5-90; 2943, 7-5-06) Penalty, see § 10.99