

THE TRAFFIC SAFETY CODE OF THE COUNTY OF COLE, MISSOURI

Chapter 1: GENERAL PROVISIONS

Sec. 1-1. How orders are designated and cited.

The county court orders embraced in this and the following chapters and sections shall constitute and be designated "The Traffic Safety Code of the County of Cole, Missouri" and may be so cited.

Sec. 1-2. Definitions and rules of construction.

In the construction of this Code and of all other court orders of the county, the following definitions and rules of construction shall be observed, unless it shall be otherwise expressly provided in any section or court order, or unless inconsistent with the manifest intent of the county commissioners, or unless the context clearly requires otherwise:

Abandoned motor vehicle. Any motor vehicle left unattended at the same place on any roadway in the county for a period of time in excess of seventy-two (72) consecutive hours.

Alley or alleyway. Any street with a roadway of less than sixteen (16) feet in width.

Authorized emergency vehicle. A vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol or a state park ranger, those vehicles operated by enforcement personnel by the division of motor carrier and railroad safety of the department of economic development, deputy or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175, RSMo;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44, RSMo;

(7) Any vehicle operated by an authorized employee of the department of corrections, who as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

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Controlled access highway. Every highway, street or roadway, in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street or road way.

County. The words "the county" or "this county" shall mean the County of Cole, Missouri.

County Commission. The words "county commission" or "the commission" shall mean the county commission of the County of Cole, Missouri.

Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is Sunday or a legal holiday, it shall be excluded.

State law reference - Similar provisions, RSMo. § 1.040.

County limits. Whenever the words "county limits" are used they shall mean the legal boundary of the County of Cole.

Crosswalk. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Delegation of authority. Whenever a provision appears requiring the head of a department of the county to do some act or make certain inspections, it is to be construed to authorize the head of the department to designate, delegate and authorize subordinates to perform the required act or make the required inspection unless the terms of the provision or section designate otherwise.

Disabled motor vehicle. Any motor vehicle in a nonoperative condition left unattended at the same place on any roadway in this county for a period of time in excess of forty-eight (48) consecutive hours.

Drive, driving, operates, operating. Physically driving or operating or being in actual physical control of a motor vehicle.

Driver. Every person who drives or is in actual physical control of a vehicle.

Gender. When any subject matter, party or person is described or referred to by words importing the masculine, females as well as males, and associations and bodies corporate as well as individuals, shall be deemed to be included.

State law reference - Similar provisions, RSMo. § 1.030.

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Highway. The entire width between the boundary lines of every way publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel.

Intersection. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, the lateral boundary lines of the roadways of two (2) highways, streets, alleys or driveways, public or private, which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways, streets, alleys or driveways, public or otherwise, joining at any other angle, may come in conflict. Where as highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

Interpretation. In the interpretation and application of any provision of this Code, it shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than the general provision imposed by the Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

Laned roadway. A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

Motor vehicle. Any self propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles.

Must. The word "must" is mandatory and not permissive.

Motorcycle. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor or a vehicle which has an enclosure surrounding all the riders.

Official traffic control devices. All signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulations, warning or guiding traffic.

Owner. Any person who holds the legal title of a vehicle. In the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with the right to purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in

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the event a mortgage of a vehicle is entitled to possession, such conditional vendee or lessee or mortgagor shall be deemed the "owner" for the purposes of this chapter.

Park or parking. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in the loading or unloading of passengers.

Pedestrian. Any person afoot.

Person. The word "person" shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals. It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law.

State law reference - Similar provisions, RSMo. § 1.020(11).

Private road or driveway. Every way or place in private ownership, and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Property. The word "property" shall include real and tangible and intangible personal property.

State law reference - Similar provisions, RSMo. § 1.020(15).

Public way. The words "public way" shall include any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

Real property. The terms "real property," "premises," "real estate" or "lands" shall be deemed to be coextensive with land, tenements and hereditaments.

State law reference - Similar provisions, RSMo. § 1.020(16).

Residence. The term "residence" shall be construed to mean the place adopted by a person as his place of habitation, and to which, whenever he is absent, he has the intention of returning. When a person eats at one place and sleeps at another, the place where such person sleeps shall be deemed his residence.

State law reference - Similar provisions, RSMo. § 020(13)

Right-of-way. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision, unless one grants precedence to the other.

Roadway. That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such road ways collectively.

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Shall. The word "shall" is mandatory, and not permissive.

Sidewalk. The word "sidewalk" shall mean that portion of the street between the curb line or the inside line of any park way which may be present and the adjacent property line which is intended for use of pedestrians.

Signature. Where the written signature of any person is required, the proper handwriting of such person or his mark shall be intended.

Stand or standing. The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

State highway. A highway maintained by the state as a part of the state highway system.

State. The words "the state" or "this state " shall mean the State of Missouri.

Stop. When required, complete cessation of movement.

Stop or stopping. When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a deputy or traffic control signs or signal.

Street. The word "street" shall mean and include any public way, highway, street, avenue, boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them. The entire width between the lines of every way publicly maintained, when any part thereof is open to the uses of the public for purposes of vehicular travel.
(Code 1977, §§ 1-2, 1-10)

Traffic. Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, either singly or together, while using any highway for purposes of travel.

Traffic control signal. Any device, whether manually, electrically or mechanically operated, by which traffic division is alternately directed to stop and to proceed.

Trailer. Any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi-trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle.

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Vehicle . Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting motorized bicycles and devices moved by human power or used exclusively upon stationary rails or tracks.

State law reference - Similar provisions, RSMo. § 300.010.

Sec. 1-3. Provisions considered continuation of existing court orders.

The provisions of this Code, so far as they are the same as court orders existing at the time of adoption of this Code, shall be considered as a continuation thereof and not as new enactments.

Sec. 1-4. Code does not affect prior offenses, rights, etc.

A. Nothing in this Code or the court order adopting this Code shall affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this Code.

B. The adoption of this Code shall not be interpreted as authorizing or permitting any use or the continuance of any use of a structure or premises in violation of any court order of the county in effect on the date of adoption of this Code.

Sec. 1-5. Catchlines of sections.

The catchlines of the several sections of this Code printing in boldface type are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be titles of such sections, or as any part of the sections; nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted.

Sec. 1-6. Jurisdiction.

Except as otherwise provided, the provisions of this Code shall apply only in the county limits.

Sec. 1-7. Amendments to Code.

All court orders passed subsequent to this Code, which amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion therein, or, in the case of repealed chapters, sections and subsections or any part thereof, by subsequent court orders, such repealed portions maybe excluded from the Code by omission from reprinted pages affected thereby and the subsequent court orders as numbered and printed or omitted, in the case of repeal, shall be prima facie evidence of such subsequent court orders until such time that this Code and subsequent court orders numbered or omitted are readopted as a new code of court orders by the commission. Amendments to any of the provisions of this Code should be made by amending such provisions by specific reference to the section of this Code in substantially the following language: "That section ____ of the Code of the County of Cole, Missouri, is here by amended to read as follows: (Set out new provisions in full.)

Sec. 1-8. Supplementation of Code-Generally.

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A. By contract or by county personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the county commission. A supplement to the Code shall include all substantive permanent and general parts of court orders adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest court order included in the supplement.

B. In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

C. When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in court orders and parts of court orders included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

1. Organize the court order material into appropriate sub divisions;
2. Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
3. Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
4. Change the words "this court order" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ____ to ____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the court order incorporated into the Code); and
5. Make other nonsubstantive changes necessary to preserve the original meaning of court order sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of court order material included in the supplement or already embodied in the Code.

Sec. 1-9. Same--Exclusion of special or temporary court orders.

Court orders hereafter adopted which are not of a general or permanent nature shall be numbered consecutively, authenticated, published and recorded in the book of court orders, but shall not be prepared for insertion in this Code, nor be deemed a part hereof.

Sec. 1-10. Responsibility of deputies and employees with respect to assigned copies of Code.

Each deputy or employee assigned a copy of this Code shall be responsible for maintaining the same and for the proper insertion of amendatory pages as received. Each such copy shall remain the property of the county and shall be turned over by the employee having custody thereof, upon expiration of his term of office, to his successor or to the county clerk, in case he shall have no successor.

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Sec. 1-11 General penalty; continuing violations.

A. Except as hereinafter provided, whenever in this Code or in any other court order of the county or in any rule, regulation or order promulgated pursuant to such Code or other court order of the county, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or in such other county court order, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of any such provision of this Code or of any other court order of the county or of any rule, regulation or order promulgated pursuant to such Code or other county court order shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment for a period of not exceeding three (3) months, or by both such fine and imprisonment.

B. Whenever any provision of the Revised Statutes of Missouri or other statute of the state limits the authority of the county to punish the violation of any particular provision of this Code or other county court order or rule, regulation or order promulgated pursuant thereto to a fine of less amount than that provided in this section or imprisonment for a shorter term than that provided in this section, the violation of such particular provision of this Code or other county court order, rule, regulation or order shall be punished by the imposition of not more than the maximum fine or imprisonment so authorized, or by both such fine and imprisonment.

C. Whenever any provision of the Revised Statutes of Missouri or other statute of the state establishes a penalty differing from that provided by this section, for an offense similar to any offense established by this Code or other court order, rule, regulation or order of the county, the violation of such county law, court order, rule, regulation or order shall be punished by the fine or imprisonment established for such similar offense by such state law.

D. Each day any violation of this Code, or any other county court order or rule, regulation or order promulgated pursuant thereto, continues shall constitute a separate offense, unless otherwise provided.

E. Violations of the following listed and described sections of this Code shall be punishable as provided in this section, except that any fine imposed for said violations shall not be less than the amount prescribed for each violation in the following list:

_____	Obedience to traffic law enforcement officials	\$ 25.00
_____	Failure to obey citation	\$25.00
_____	Refusing traffic summons	\$25.00
_____	Failure to obey traffic signals	\$50.00
_____	Speed limits	
	Up to 10 mph over limit:	\$10.00 plus \$1.00 per mph over limit
	Exceeding 10 mph over limit:	\$20.00 plus \$3.00 per mph over limit
	School speed limits:	\$20.00 plus \$3.00 per mph over limit

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_____ Left turns prohibited	\$25.00
_____ Hand and mechanical signals (obedience)	\$25.00
_____ One-way roadways	\$25.00
_____ Stop on emerging from alleys, driveways or buildings	\$25.00
_____ Stop when traffic obstructed	\$25.00
_____ Yield signs	\$25.00
_____ Unattended vehicles	\$25.00
_____ Removal of abandoned or disabled vehicles	\$75.00
_____ Leaving wrecked, junked vehicles on private property	\$75.00
_____ Removal & disposition of abandoned or disabled vehicles	\$75.00
_____ Responsibility of owner for abandoned vehicles violations	\$75.00

Sec. 1-12. Severability of parts of Code.

It is hereby declared to be the intention of the county commission that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the county commission without the incorporation in this Code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Chapter 2: Motor Vehicles and Traffic

Sec. 2-1. Obedience to traffic law enforcement officials.

No person shall willfully fail or refuse to comply with any lawful order or direction of the sheriff, deputy or fire department official concerning vehicular or pedestrian traffic.

State law reference - Similar provisions, RSMo. § 300.080.

Sec. 2-2 Penalties.

A. Except as otherwise provided in this chapter, any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction there of, shall be punished as provided in section 1-11.

B. All towing and storage expenses, if any, remaining unpaid by any person convicted of a violation of any of the provisions of this chapter shall be added to any fine assessed under subsection (A) of this section and collected with the fine.

Sec. 2-3. General authority of sheriff and fire department officials.

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A. It shall be the duty of the sheriff's department, or commissioned deputies to enforce all street traffic laws of the county and all of the state vehicle laws applicable to street traffic in the county.

B. Deputies of the sheriff's department are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws; provided, that in the event of a fire or other emergency, or to expedite traffic or to safeguard pedestrians, deputies may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

C. Officers of the fire department, when at the scene of an emergency response, may direct or assist the deputies in directing traffic threat or in the immediate vicinity.

State law reference - Similar provisions, RSMo. § 300.075.

Sec. 2-4. Obedience to traffic control devices generally.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed and maintained in accordance with the provisions of this chapter, unless otherwise directed by a deputy subject to the exceptions for the driver of an authorized emergency vehicle.

State law reference - Similar provisions, RSMo. § 300.140.

Sec. 2-5 . Speed limits.

A. Every driver of a motor vehicle shall drive in a careful and prudent manner on the roadways of this county, and at a rate of speed so as not to endanger the property of another or the life or limb of any person, and shall exercise the highest degree of care.

B. No person shall operate a vehicle on any street in excess of the speed established by county order for such street;

C. Nothing in this section shall make the speeds fixed for specific streets lawful in a situation requiring a lower speed for compliance with the basic rule declared in subsection (A) of this section.

State law reference - Speed limits, RSMo. § 304.009 et seq.

Sec. 2-6. Right-of-way at intersection.

A. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway, provided, however, there is no form of traffic control at such intersection.

B. When two (2) vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right. This subsection shall not apply to vehicles approaching

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each other from opposite directions when the driver of one of such vehicles is attempting to or is making a left turn.

C. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

D. Except when directed to proceed by a deputy or traffic-control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic in the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

E. The driver of a vehicle approaching a yield sign shall in obedience to the sign slow down to a speed reasonable to the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such traffic is moving across or within the intersection.

F. The driver of a vehicle about to enter or cross a highway from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.

G. The driver of a vehicle intending to make a left turn into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction when the making of such left turn would create a traffic hazard.

State law reference - Similar provisions, RSMo. §§ 304.351, 300.270, 300.271.

Sec. 2-7. Stop intersections.

Stop intersections shall be as established by court order.

Sec. 2-8 . Yield signs.

Yield the right-of-way signs shall be erected at the locations designated by court order.

Sec. 2-9. Adoption.

The following schedules are hereby adopted as if set out in full in this Code . A copy of these schedules shall be on file in the office of the County Clerk:

Schedule A - Speed Limits

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Schedule B - Stop Signs

Schedule C - Yield Signs

Schedule D - Parking Prohibited

Schedule E - Parking Prohibited at Certain Times

Schedule F - Prohibited Parking in Snow Emergencies

Schedule G - Do not Enter When Flooded

Sec. 2-10 Places where prohibited at all times generally.

A. Except where necessary to avoid conflict with other traffic or when complying with the directions of a deputy or traffic control device, no person shall:

1. Stop, stand or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a roadway.
- b. Within the right-of-way of any public street or roadway, so that all or any portion of the vehicle is between the curb or curb line and a public sidewalk on the same side of the street or roadway as such curb or curb line.
- c. On a sidewalk.
- d. Within an intersection.
- e. On a crosswalk.
- f. Alongside or opposite any street excavation or obstruction when traffic would be further obstructed thereby.
- g. Upon any bridge or elevated structure or upon any highway, viaduct or ramp.
- h. Upon any access road to, or exit road from, a federal or state highway, that is on the highway right-of-way.
- i. On any railroad track.
- j. At any place where signs prohibit stopping.
- k. At any street-alley intersection.

2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger:

- a. In front of a public or private driveway.
- b. Within fifteen (15) feet of a fire hydrant, unless in a parking meter space.
- c. Within twenty (20) feet of a crosswalk at any intersection.
- d. Within thirty (30) feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of a roadway.
- e. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance, when properly signposted.
- f. Within thirty (30) feet of any intersection.
- g. At any place where official signs prohibit standing.

3. Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading passengers or merchandise:

- a. Within fifty (50) feet of the nearest rail of a railroad crossing.
- b. At any place where official signs prohibit parking.

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B. No person shall move a vehicle not lawfully under his control into any such prohibited area or way from a curb such a distance as is unlawful.

Sec. 2-11. Parking prohibited at all times at designated locations.

The driver of a vehicle shall not park such vehicle at any point on the roadways designated by court order.

Sec. 2-12 Parking for certain purposes prohibited.

No person shall park a vehicle up on any roadway for the principal purpose of:

A. Displaying such vehicle for sale;

B. Repairing such vehicle, except repairs necessitated by an emergency.

State law reference - Similar provisions, RSMo. § 300.455.

Sec. 2-13. Parking in excess of seventy-two (72) hours.

Where the parking of a vehicle is authorized, the owner shall not permit the same to be parked at the same place on the roadway for a period of time in excess of seventy-two (72) consecutive hours.

Sec. 2-14. Parking of non licensed vehicles.

The operator of a vehicle shall not park the same on any roadway, unless a currently effective registration or license plate, issued by the United States of America, a state of the United States of America or a foreign country, is attached thereto and displayed thereon.

Sec. 2-15. Stopping, standing or parking of boats and trailers.

A. It shall be unlawful for any person, directly or indirectly, through any employee, servant or agent, to permit any boat or trailer to be parked, placed or stationed within and upon the improved portion of any public street, alley, roadway, highway, sidewalk or right-of-way in the county in any manner whatsoever.

B. All owners, licensed dealers and other persons exercising the right of control over any boat within the county shall be held and deemed responsible for the unlawful parking, placement or stationing of a boat in violation of the provisions of this section.

C. Subsection (A) of this section shall not be construed to prohibit any person transporting a boat on top of a motor vehicle or propelling a boat mounted on a trailer or boat trailer, which trailer is attached to and drawn by a motor vehicle, from stopping such motor vehicle or trailer or boat trailer momentarily upon the public streets, alleys, roadways and highways within the county in the movement of motor vehicle traffic.

Sec. 2-16. Parking prohibited at certain times.

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The driver of a vehicle shall not park such vehicle at any time at any point on the roadways designated by court order.

Sec. 2-17. Removal of motor vehicles generally; removed vehicles deemed abandoned or disabled.

A. Deputy are authorized to have a motor vehicle removed from a street, highway or county owned parking area to a service station, garage or other place of safety:

1. When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.
2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic, and the person in charge of the vehicle is, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal.
3. When any vehicle is left unattended upon a street and is parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic.

B. Any motor vehicle removed from a street or highway or metered or rental space operated by the county, under the provisions of this section shall be considered an abandoned or disabled motor vehicle and the provisions and procedures contained in section 2-19 shall apply and be observed.

C. Any deputy authorizing the tow shall make an inquiry with the statewide computer system and National Crime Information Center (NCIC) to determine if the abandoned property has been reported stolen. The deputy shall enter the abandoned property information into the statewide computer system.

Sec. 2-18. Leaving wrecked, junked, etc., vehicle standing on private property; parking on private property without consent of owner, etc.

A. No person in charge or control of any property within the county, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperative, wrecked, junked, discarded or improperly titled vehicle to remain on such property for longer than seventy-two (72) hours. No person shall leave any such vehicle on any property in the county for a period exceeding seventy-two (72) consecutive hours, except:

1. When in an enclosed building;
2. On the premises of a business operating in a lawful place and manner, when necessary to the operation of such business provided that any wrecked vehicles shall not be placed outside a building for more than ninety (90) days except on property located within an industrial zone and further provided that if the wrecked vehicle is a semi-trailer the number of days it can remain outside shall be limited to forty-five (45) days unless in an industrial zone; or
3. In a commercial facility designed for the storage of vehicles provided that any wrecked vehicles shall not be placed outside a building for more than ninety (90) days except on

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property located within an industrial zone and further provided that if the wrecked vehicle is a semi-trailer the number of days it can remain outside shall be limited to forty-five (45) days unless in an industrial zone; or

4. Depository maintained by the county.

B. No person shall park or leave standing any motor vehicle upon any privately owned land, parking lot or driveway, without the express or implied consent of such owner, occupant, lessee or licensee of the land. On private parking lots in commercial or industrial zones, a suitable sign, not less than eighteen (18) inches by twenty-four (24) inches in dimension bearing the words "No Parking," together with any qualifications or restrictions on such parking, if any, shall be conspicuously displayed on such land, parking lot or driveway by the owner, occupant, lessee or licensee, to make this subsection effective.

C. Upon a signed complaint by any owner, occupant, lessee or licensee, or any other person adversely affected, that a motor vehicle has been parked or left standing in violation of any provision of this section, such vehicle shall be considered an abandoned or disabled motor vehicle, and the provisions and procedures in 2-19 shall apply and be observed.

D. No person shall park or leave standing any motor vehicle on or in any front, rear, or side yards, or on or in any other privately or publicly owned property unless such parking spaces, driveways, or areas have been permanently established and are used for the parking of motor vehicles.

Sec. 2-19. Removal and disposition of abandoned or disabled vehicles.

A. Any deputy may have any abandoned or disabled motor vehicle towed away and stored by any service station or garage licensed to do business in the county. If the vehicle is unclaimed after a period of seventy-two (72) hours, the vehicle may be stored outside the county limits by the service station or garage; provided, that the storage areas are within a reasonable distance of the county and the vehicle is accessible for reclaim during normal business hours. A report showing the location of the stored vehicle shall be filed, by the deputy who authorized its removal, with the chief of deputy, who shall notify the owner or any holder of a security interest appearing on the title of such vehicle of the location of the vehicle, and instructions for redeeming the vehicle, by certified mail.

B. The owner of any vehicle in this county under the provisions of subsection (A) of this section, or the holder of a security interest in the vehicle, which interest is in default, may reclaim such vehicle from the service station or garage upon proof of ownership or valid security interest which is in default and full payment of all charges for the towing and storage of the vehicle. If the owner or lien holder believes the vehicle was improperly towed, they shall have the right to request a hearing before the chief of deputy. If they are dissatisfied with the results of the hearing, they may seek review before the county commission.

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C. The owner of the service station or garage towing and storing of a vehicle under the provisions of subsection (A) of this section, may sell the vehicle for salvage or the vehicle may be sold at public auction, if it remains unclaimed for thirty (30) days. Notice of the sale of a motor vehicle at public auction shall be posted for at least ten (10) days prior to the sale, at the service station or storage area where the vehicle is located, on the bulletin board at the county courthouse. The notice shall include any identifying marks or numbers, date and place where the vehicle was found, time and place of the public auction and any accrued charges against the vehicle. When any vehicle is sold for salvage or is sold at a public auction, the service station or garage shall immediately notify the chief deputy and county clerk, in writing, of the sale of such vehicle.

D. The proceeds of the sale shall first be used to pay the cost of the sale, all towing and storage costs accrued against the vehicle, and the balance, if any, shall be paid into the general revenue fund of the county, unless otherwise stipulated in a contract with a service station or garage providing towing and storing services for the County.

State law reference - Disposition of vehicles left unattended on highways, RSMo. § 304.155.

Sec. 2-20 Responsibility of owner for violations.

A. In any prosecution for a violation of any of the provisions of this division, proof that the vehicle described in the complaint was parked in violation of any provisions of this division, together with proof that the defendant named in the complaint was at the time of such parking the owner of the vehicle, shall constitute in evidence a prima facie presumption that the owner of the vehicle was the person who parked the vehicle at the point where, and for the time during which, such violation occurred.

B. If any vehicle is found upon any alley, roadway, street or property in violation of any provision of this division, the owner or person in whose name such vehicle is registered in the records of any city, county or state shall be held prima facie responsible for such violation, if the driver thereof is not present.

C. Failure to display current license plates and renewal tabs as issued by the Director of the Missouri Department of Revenue shall be prima facie evidence that the vehicle is improperly registered.

D. If, at the time the violation occurs, the owner of the vehicle has permissively leased or rented the vehicle to another, the owner of the vehicle may avoid liability under this section by providing the name, address, documentation of lease or rental, and operator's license number of the person leasing or renting said vehicle (lessee/renter). The information must be delivered to the proper county authority within three working days from the time of written notification of citation and request for information. Failure or refusal to provide such information within the period required by this subsection will render the owner liable for said violations. Provided, however, if a leased or rented motor

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vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable and is not caused by the fault or neglect of the lessee/renter, then the owner shall be liable on any violation for illegal parking of such vehicle.

State law reference - Municipal regulations—owner or lessor not liable for violations, when., RSMo. § 304.120.

Sec. 2-21. Bill of Sale Requirements.

The bill of sale issued by the county upon the sale of abandoned property shall be lawful proof of ownership.

The bill of sale must include:

1. Year, make, identification number and model of the abandoned property;
2. Odometer disclosure on vehicles that are less than 10 years of age. The disclosure must include the printed names and signatures of the buyer(s) and seller(s);
3. Date of sale;
4. Printed name and signature of the clerk or deputy;
5. Printed name and signature of the buyer; and
6. The seal of the county clerk.

The purchaser of the abandoned property must apply for a junking certificate or salvage certificate of title designated with “Salvage/Abandoned Property” on the face within thirty (30) days of purchase.

Sec. 2-22 Parking Tickets, due date.

All parking tickets issued shall be paid no later than the court date set forth on the ticket unless an appeal is filed pursuant to section 2-23 below. For any ticket which is paid no later than the court date or for which an appeal is properly filed, no court costs shall be assessed.

Sec. 2-23 Parking Tickets, Response Required, Appeals.

The owner of a vehicle for which a parking violation ticket has been issued shall respond to such summons by paying the amount shown on the ticket prior to the court date shown or may appeal such ticket by presenting such appeal to the County Prosecutor prior to the court date set forth on the ticket. The County Prosecutor may promulgate a form to be used for this purpose. Any person aggrieved by the decision of the prosecutor may appeal the ticket to the Judge on the court date shown on the ticket. The Judge may conduct a de novo review of the ticket.

Updated: January 13, 2006