

## Chapter 15

### MOTOR VEHICLES AND TRAFFIC

*Cross References — Motor vehicles prohibited in landing area of municipal airport, § 3-5; Railroads, § 22-1 et seq.; Vehicles for hire, § 27-1 et seq.*

#### ARTICLE I In General

##### **SECTION 15-1. Model Traffic Ordinance Adopted.** <sup>1</sup> [Ord. of 10-20-1970, § 1]

The Model Traffic Ordinance, being Chapter 300 of the Revised Statutes of Missouri is hereby adopted by reference in its entirety as if set out at length herein.

##### **SECTION 15-2. Driving with Excessive Blood Alcohol Content.** <sup>2</sup> [Ord. of 10-20-1970, § 2; Ord. No. 2001-61 § 1, 11-13-2001]

- A. No person shall drive a motor vehicle when the person has eight-hundredths of one percent (0.08%) or more by weight of alcohol in his blood. As used in this Section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred (100) milliliters of blood and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic contents of a person's blood under this Section, the test shall be conducted in accordance with the provisions of Sections 577.020 to 577.041, RSMo.
- B. Any person who violates the provisions of this Section is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00) or by imprisonment in jail for not more than ninety (90) days, or by both such fine and imprisonment.
- C. Evidence of prior convictions shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and the court shall enter its findings thereon.
- D. Any person convicted of an intoxication-related offense shall have a judgment entered against that person in favor of the Spinal Cord Injury Fund in the amount of twenty-five dollars (\$25.00).
  1. Judgments collected pursuant to this Section shall be paid into the State Treasury to the credit of the Spinal Cord Injury Fund created in Section 304.027, RSMo. Any

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1. State Law Reference — Authority of city to adopt model traffic ordinance by reference, RSMo. § 300.600.

2. State Law Reference — Similar provisions, RSMo. § 577.012. State Law Reference — Similar provisions, RSMo. §§ 304.027, 577.023.

Court Clerk receiving funds pursuant to judgments entered pursuant to this Section shall collect and disburse such amounts as provided in Sections 488.010 to 488.020, RSMo.

2. As used in this Section, an "*intoxication-related traffic offense*" is driving while intoxicated, driving with excessive blood alcohol content, or driving under the influence of drugs.

**SECTION 15-3. Signaling Devices.** [Ord. No. 72-12, § 3, 7-5-1972]

Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable or emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to other users of the streets and thoroughfares and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.

**SECTION 15-4. Mufflers and Muffler Cutouts.** [Ord. No. 72-12, § 3, 7-5-1972]

- A. Muffler cutouts shall not be used and no vehicle shall be driven in such a manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device, or other parts, or by any improperly loaded cargo.
- B. The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Any cutout or opening in the exhaust pipe between the motor and the muffler or any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open or be opened or operated while such vehicle is in motion.

**SECTION 15-5. Sirens, Whistles Prohibited; Exception.** [Ord. of 10-4-1943, § 1]

It shall be unlawful for any person to use upon any motor vehicle operated within the City what is commonly known as a siren or whistle, except that the same may be used on motor vehicles operated for ambulance purposes or by officers on police, fire or other official duty.

**SECTION 15-6. Vehicles to be Operated on Right Side of Roadway; Exceptions.** [Ord. No. 72-32, § 1, 1-2-1973]

All motor vehicles driven upon the public streets, thoroughfares and alleyways of the City of sufficient width, shall be operated or driven upon the right half of the main-traveled portion of the roadway, or to the right hand side of the center line on those roadways which are divided into traffic lanes, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
2. When placing a vehicle in position for and when such vehicle is lawfully making a left turn in compliance with the provisions of Section 304.014 through 304.026, RSMo., or traffic regulations thereunder or of the ordinances of the City;

3. When the right-half of a roadway is closed to traffic while under construction or repair;
4. Upon a roadway designated by markings or signs for one-way traffic.

**SECTION 15-7. Operation and Parking of Vehicles in City Parks.** [Ord. of 2-7-1938, § 1]

It shall be unlawful for any person operating any automobile or motor vehicles within the City parks to operate the same therein, except upon the roads or driveways maintained for motor vehicle travel within such parks. No person shall park or leave standing an automobile or other motor vehicle within any public park in the City in any driveway or on the grass or sod in such parks, but shall park or leave standing such vehicles only on the ground designated for parking purposes.

**SECTION 15-8. Reimbursement of Cost for Alcohol and Drug-Related Offenses.** <sup>3</sup> [Ord. No. 94-10 § I, 5-24-1994]

- A. Upon a plea of guilty, finding of guilt or conviction for violation of the provisions of Section 15-2 (alcohol or drug-related traffic offenses), the court may, in addition to imposition of any penalties provided by law, order the person to reimburse law enforcement authorities for the costs associated with such arrest.
- B. Such costs shall include the reasonable costs of making the arrest, including the cost of any chemical tests to determine the alcohol or drug content of the person's blood, and the cost of processing, charging, booking and holding such person in custody.
- C. Law enforcement authorities may establish a schedule of such costs for submission to the court; however, the court may order the costs reduced if it determines that the schedule of costs is excessive given the circumstances of the case or for good cause shown.
- D. These fees shall be calculated as additional costs by the Municipal Court and shall be collected by the Court in the same manner as other costs and fees are collected and remitted to the City Treasurer.
- E. The City Treasurer shall retain these fees in a separate fund known as the "DWI/Drug Enforcement Fund". Monies within the DWI/Drug Enforcement Fund shall be appropriated by the City Council to law enforcement authorities from such fund in amounts equal to those costs so incurred and shall be specifically used to enhance and support the enforcement and prosecution of alcohol- and drug-related traffic laws within the City.

**SECTION 15-9. Registration of Vehicles, Required.** <sup>4</sup> [Ord. No. 83-16, § 5, 11-1-1983]

Every owner of a motor vehicle or trailer, which shall be operated or driven upon the streets, thoroughfares or alleyways of this City, shall annually file in the Office of the Director of Revenue of the State of Missouri, an application for registration on a blank to be furnished by the Director of Revenue of the State of Missouri for that purpose containing the following information:

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3. State Law Reference — For similar provisions, see § 577.048, RSMo.

4. State Law Reference — For similar state law, see RSMo. § 301.020.

1. A brief description of the motor vehicle to be registered, including the name of the manufacturer, the manufacturer's or other identifying number and character, and amount of motive power, stated in figures of horsepower; and
2. The name, residence and business address of the owner of such motor vehicle; and
3. The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer; and
4. If such motor vehicle be a specially constructed or reconstructed motor vehicle, the application shall so state and the owner shall furnish the Director of Revenue such additional information as he shall require.

**SECTION 15-10. License Plate Required.** [Ord. No. 83-16, § 6, 11-1-1983]

No motor vehicle or trailer shall be operated upon any street, thoroughfare or alleyway of this City unless it shall have displayed thereon the license plate or set of license plates issued by the Director of Revenue of the State of Missouri. Such display of license plates shall and must comply with Section 301.130, RSMo.

**SECTION 15-11. Driving Without Operator's or Chauffeur's License, Prohibited.** [Ord. No. 83-16, § 7, 11-1-1983]

Any person whose operator's or chauffeur's license and driving privilege as a resident or non-resident has been canceled, suspended or revoked under the provisions of Chapter 302, RSMo., or of Chapter 577, RSMo., or Chapter 544, RSMo., and who thereafter drives any motor vehicle upon the highways of this City while such license and privilege is canceled, suspended or revoked, and before an official reinstatement notice or termination notice is issued by the Director, shall be guilty of a misdemeanor and upon conviction may be punished under the general penalty Section 1-8 of the ordinances of Lexington, Missouri.

**SECTION 15-12. Penalty.** [Ord. No. 83-16, § 8, 11-1-1983]

Any violation of the requirements or prohibitions of Section 15-9 through 15-11 shall be declared to be a misdemeanor and upon conviction, the defendant or person so violating shall be deemed guilty of a misdemeanor, which is punishable under the general penalty section of these ordinances, Section 1-8.

**SECTION 15-13. Driving and Parking — Emergency Snow Routes.** [Ord. No. 88-23, 12-13-1988; Ord. No. 93-31 §§ I — II, 12-28-1993; Ord. No. 95-28 § 1, 11-14-1995; Ord. No. 2007-05 § 1, 2-13-2007]

- A. The following streets and thoroughfares shall be designated as Emergency Snow Routes during inclement weather of snow, sleet, freezing rain or ice: Highland Avenue, Main Street (M-224) from Highland Avenue to 13th Street, Franklin Avenue from 9th Street to 13th Street, South Street from 12th Street to 13th Street, Aull Lane, Business Highway 13, 16th Street, 17th Street, 20th Street, 24th Street from Main Street to Highway 24, Broadway from Highland Avenue to Main Street and John Shea Drive. All Emergency Snow Routes shall be implemented in the manner described in the following Sections:

1. *Phase I, Driving Emergency.* Whenever inclement weather causes a slippery or hazardous condition which might lead to serious traffic congestion, the Mayor or other designated City representative, may declare a "Driving Emergency"; and until such emergency is terminated no person shall park or operate a motor vehicle on any street in such manner or in such condition as to allow or permit such vehicle to become stalled by reason of the fact that the driving wheels of such vehicle are not equipped with tire chains or snow tires. Failure to comply with this provision, shall result in the operator of said vehicle being deemed in violation of this Section.
  2. *Phase II, Snow Routes Parking Emergency.* Whenever snow has accumulated, or it is probable that snow will accumulate to such a depth that snow removal operations will be required, the Mayor or other designated City Official may declare a "Snow Routes Parking Emergency"; and until such emergency is terminated, no vehicles shall be parked on any streets designated by appropriate signage acknowledging said street as an emergency snow route. All vehicles parked on such streets must be removed within two (2) hours after declaration of emergency or be considered in violation of this Section.
  3. *Phase III, Downtown Business District Parking Emergency.* Whenever snow has accumulated, or it is probable that snow will accumulate to such a depth that snow removal operations will be required, the Mayor or other designated City Official may declare a "Downtown Business District Parking Emergency"; and until such emergency is terminated no vehicles shall be parked on any Emergency Snow Route street located in the downtown business district. All vehicles parked on such streets must be removed within two (2) hours after declaration of emergency or be considered in violation of this Section.
  4. *Authority of Police to Remove Vehicles.* In the event any vehicles are parked on the streets, alongside the streets, on the hard surface of the street or on the shoulders of the street, or any portion of the vehicle extends upon the traveled area of said street, during a Driving Emergency, Snow Route Parking Emergency, or Downtown Business District Parking Emergency the officers of the Police Department shall have the authority to have said vehicles moved by towing or other provisions.
- B. Any person in violation of the provisions of this Section shall be subject to a fine as provided in Section 1-8 of this Code. Additionally, the defendant or person so violating these provisions shall also be responsible for any expense incurred for towing, removing, and storage of said vehicle.

**SECTION 15-14. Financial Responsibility Required.** [Ord. No. 95-13 § 1, 6-27-1995]

- A. No person shall operate a motor vehicle registered in this State, whether owned by such operator or by another, upon the streets, alleys or highways of this City, unless such operator, or the owner of the vehicle, maintains financial responsibility which covers the operation of that vehicle by such operator.
- B. No person shall operate a motor vehicle registered in this State, whether owned by such operator or by another, upon the streets, alleys or highways of this City, unless such operator, exhibits proof of financial responsibility upon demand of a Police Officer, which

proofs covers the operation of that vehicle by such operator.

- C. For purposes of this Section, the term "*financial responsibility*" shall mean the ability to respond in damages for liability occurring after the effective date of proof of such financial responsibility, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident, and subject to said limit for one (1) person, in the amount of fifty thousand dollars (\$50,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of ten thousand dollars (\$10,000.00) because of injury to or destruction of property of others in any one (1) accident.
- D. Proof of financial responsibility may be shown by any of the following:
  - 1. An insurance identification card issued by a motor vehicle insurer or by the Director of Revenue of the State of Missouri for self-insurance, as provided by Section 303.024, RSMo. A motor vehicle insurance policy, a receipt which contains the name and address of the insurer, the name and address of the named insured, the policy number, the effective dates of the policy and a description by year and make of the vehicle, or at least five (5) digits of the vehicle identification number or the word "Fleet" if the insurance policy covers five (5) or more motor vehicles, shall be satisfactory evidence of insurance in lieu of an insurance identification card.
  - 2. A certificate of the State Treasurer of Missouri of a cash deposit as provided by Section 303.240, RSMo.
  - 3. A surety bond filed with the Director of Revenue of the State of Missouri as provided by Section 303.230, RSMo.
- E. Proof of financial responsibility shall be carried at all times in the insured motor vehicle or by the operator of the motor vehicle if the proof of financial responsibility is effective as to the operator rather than to the vehicle. The operator of the motor vehicle shall exhibit the proof of financial responsibility on the demand of any Police Officer who lawfully stops such operator while that officer is engaged in the performance of the duties of his office.
- F. Failure of any person who operates a motor vehicle on the streets, alleys or highways of this City to exhibit proof of financial responsibility on the demand of any Police Officer who lawfully stops such person shall be prima facie evidence that such person, or that the owner of the vehicle, does not maintain financial responsibility as required by this Section.
- G. Any person, firm, or corporation violating this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00), or may be imprisoned in the Lafayette County Jail for not more than ninety (90) days, or both fine and imprisonment together with Court costs therein.

**SECTION 15-15. School Buses, Drivers to Stop for.** [Ord. No. 95-09 § 1, 4-25-1995; Ord. No. 2005-05 § 1, 2-8-2005]

- A. The driver of a vehicle upon a roadway and upon meeting or overtaking from any direction

any school bus which is stopped on the roadway for the purpose of receiving or discharging any school children and whose driver has given the signal to stop by activating the mechanical and electrical signaling device, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion or until signaled by its driver to proceed.

- B. If any vehicle is witnessed by a Peace Officer or the driver of a school bus to have violated the provisions of this Section, and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation.
- C. Any person violating any provision of this Section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five dollars (\$5.00) nor more than one thousand dollars (\$1,000.00) or may be imprisoned in the County Jail for not more than ninety (90) days, or both fined and imprisoned together with court cost therein.

**SECTION 15-16. Seat Belts and Child Restraint Devices.** [Ord. No. 95-12 § 1, 6-27-1995; Ord. No. 98-39 § I, 12-8-1998; Ord. No. 2006-47 § 1, 11-14-2006]

- A. Except as otherwise provided in this Section, each driver and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this City shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation Act requirements, except that a child less than sixteen (16) years of age shall be protected as required in Subsection (B)(5) of this Section.
- B. With respect to Subsection (A) of this Section:
  - 1. No person shall be stopped, inspected or detained solely to determine compliance with Subsection (A) of this Section.
  - 2. The provisions of Subsection (A) of this Section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about his or her body or to any person employed by the United States Postal Service while performing duties for that Federal agency which requires the operator to service postal boxes from their vehicles or which require frequent entry into and exit from their vehicles.
  - 3. As used in Subsections (A) of this Section, the term "*passenger car*" means every motor vehicle designed for carrying ten (10) persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motortricycles and trucks with a gross weight of twelve thousand (12,000) pounds or more.
  - 4. Each driver who violates the provisions of Subsection (A) of this Section shall upon conviction be subject to a fine not to exceed ten dollars (\$10.00) in amount. All other provisions of law and court rules to the contrary notwithstanding, no court costs may be imposed if court costs have been assessed on any other charge arising out of the same occurrence.
  - 5. Every person transporting a child under the age of sixteen (16) years on the streets or

highways of this City shall be responsible for transporting such child as follows:

- a. Children less than four (4) years of age, regardless of weight, shall be secured in a child passenger restraint system appropriate for that child.
- b. Children weighing less than forty (40) pounds, regardless of age, shall be secured in a child passenger restraint system appropriate for that child.
- c. Children at least four (4) years of age but less than eight (8) years of age, who also weigh at least forty (40) pounds but less than eighty (80) pounds and who are also less than four (4) feet, nine (9) inches tall, shall be secured in a child passenger restraint system or booster seat appropriate for that child.
- d. Children at least eighty (80) pounds or children more than four (4) feet, nine (9) inches in height shall be secured by a vehicle safety belt or booster seat appropriate for that child.
- e. Children eight (8) years of age but less than sixteen (16) years of age, regardless of weight or height, shall be secured by a vehicle safety belt or restraint system appropriate for that child.
- f. A child who otherwise would be required to be secured in a booster seat may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster seat installation.
- g. When transporting children in the immediate family when there are more children than there are seating positions in the enclosed area of a motor vehicle, the children who are not able to be restrained by a child safety restraint device appropriate for the child shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front seat area. The driver transporting children referred to in this Subsection is not in violation of this Section.

Any person who violates this Subsection shall, upon conviction, be punished by a fine of not more than fifty dollars (\$50.00) and court costs.

**SECTION 15-17. Driver's License Required to Operate Motorized Vehicle.** [Ord. No. 99-53 § 1, 1-11-2000]

A. It shall be unlawful for any person to:

1. Operate any vehicle upon any City street in this City unless he has a valid driver's license.
2. Operate a motorcycle or motortricycle upon any street of this City unless such person has a valid license that shows he has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the laws of the State of Missouri.
3. Authorize or knowingly permit a motorcycle or a motortricycle owned by him or



under his control to be driven upon any street by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued as instruction permit therefor.

4. Authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street in this City by any person who is not properly licensed to do so under the laws of the State of Missouri.
  5. Display or to permit to be displayed, or to have in his possession, any license knowing the same to be fictitious or to have been canceled, suspended, revoked, disqualified or altered.
  6. Lend to or knowingly permit the use of by another any license or permit issued to the person so lending or permitting the use thereof.
  7. Fail to carry one's instruction permit or license while operating a motor vehicle and to fail to display said license or permit upon demand of any Police Officer for inspection.
- B. Any person violating any provision of this Section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be penalized as set out in Section 1-8.

**SECTION 15-18. Vehicle Equipment Statutes Adopted.** [Ord. No. 99-56 § 1, 2-8-2000]

- A. All vehicles shall be equipped, and the equipment shall be so used, as is provided by Chapter 307 of the Revised Statutes of Missouri, and such Chapter is hereby adopted by reference in its entirety and made a part of this Title as fully as if set out at length herein.
- B. Any person who violates the provisions of this Section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

**SECTION 15-18.1. Applicability of Rules of the Road.** [Ord. No. 99-55 § 1, 2-8-2000]

- A. The local officials of this City recognize as applicable to all highways, streets or alleys within the corporate limits Sections 304.014 to 304.026 inclusive, Revised Statutes of Missouri (Rules of the Road), and all Police Officers are hereby ordered to enforce such provisions, regulation or regulations in like manner and effect and in the same manner as the provisions, regulation and regulations of this Title.
- B. Any person who violates the provisions of this Section shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the City or County jail not exceeding ninety (90) days, or by both such fine and imprisonment.

**SECTION 15-18.2. Passengers in Truck Beds.** [Ord. No. 2006-47 § 2, 11-14-2006]

No person shall operate any truck, as defined in Section 301.010, RSMo., with a license gross weight of less than twelve thousand (12,000) pounds when such truck is operated within the

corporate limits of this City when any person under eighteen (18) years of age is riding in the unenclosed bed of such truck. No person under eighteen (18) years of age shall ride in the unenclosed bed of such truck when the truck is in operation. Any person who operates a truck with a licensed gross weight of less than twelve thousand (12,000) pounds in violation of this Section shall, upon conviction, be punished by a fine of not more than twenty-five dollars (\$25.00) plus court costs. The provisions of this Section shall not apply to:

1. Any employee engaged in the necessary discharge of the employee's duties where it is necessary to ride in the unenclosed bed of the truck;
2. Any person while engaged in agricultural activities where it is necessary to ride in the unenclosed bed of the truck;
3. Any person riding in the unenclosed bed of a truck while such truck is being operated in a parade, caravan or exhibition which is authorized by law;
4. Any person riding in the unenclosed bed of a truck if such truck has installed a means of preventing such person from being discharged or such person is secured to the truck in a manner which will prevent the person from being thrown, falling or jumping from the truck;
5. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of participating in a special event and it is necessary that the person ride in such unenclosed bed due to the lack of available seating. "*Special event*", for the purposes of this Section, is a specific social activity of a definable duration which is participated in by the person riding in the unenclosed bed;
6. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of providing assistance to, or ensuring the safety of, other persons engaged in a recreational activity; or
7. Any person riding in the unenclosed bed of a truck if such truck is the only legally titled, licensed and insured vehicle owned by the family of the person riding in the unenclosed bed and there is insufficient room in the passenger cab of the truck to accommodate all passengers in such truck. For the purposes of this Subsection the term "*family*" shall mean any persons related within the first degree of consanguinity.

## ARTICLE II Parking

### **SECTION 15-19. Definitions.** [Ord. No. 79-4 § 1, 2-6-1979]

For purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

**PARKING ZONES** — Portions of streets described and established by the City Council as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of a Parking Control Officer.

**ROADWAY** — That portion of a street between the regularly established curblines.

**SIDEWALK** — That portion of a street between the curblines and the adjacent property lines.

**STREET** — Every way set apart for public travel except alleyways.

**VEHICLE** — Any device, or component thereof, in, upon or by which any person or property is or may be transported or pulled upon a highway, street or waterway, including, but not limited to, travel trailer, camper, motor home/coach, trailers of all kinds, trucks of all sizes, cars, buses, boats, and off-road vehicles. Devices moved by human power or used exclusively upon stationary rails or tracks are not deemed to be a vehicle. [Ord. No. 2015-01 § II, 1-13-2015]

**VEHICLE, COMMERCIAL MOTOR** — A motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses. [Ord. No. 2015-01 § II, 1-13-2015]

**VEHICLE, MOTOR** — A conveyance propelled by motor power. [Ord. No. 2015-01 § II, 1-13-2015]

**SECTION 15-20. Lines Designating Parking Space; Parking Within Space.** [Ord. No. 79-4 § 3, 2-6-1979]

Those areas so designated by the City Council as above set out, the Mayor shall have or cause to have lines or markings painted upon the curb or street adjacent to each parking zone or area, designating the parking space, and each vehicle parked shall park within such lines or markings. It shall be unlawful to park any vehicle across any such lines or markings, or to park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings.

**SECTION 15-21. Parking Zone Time Limit.** [Ord. No. 79-4 § 4, 2-6-1979; Ord. No. 94-08 § 1, 5-10-1994]

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in his name, operated, or controlled by him to be upon any street within a parking zone or area longer than two (2) continuous hours (one hundred twenty (120) consecutive minutes) between the hours of 8:00 A.M. and 5:00 P.M. on Monday through Friday, legal holidays, excepted.

**SECTION 15-22. Police Department to Enforce Division.** [Ord. No. 79-4 § 5, 2-6-1979; Ord. No. 2008-23 § 1, 7-22-2008]

It shall be the duty of Police Department of the City to enforce the terms and provisions of this Article. It shall be the duty of the Police Department to enforce illegal parking as posted if not specifically covered under this Article.

**SECTION 15-23. Parking Unlicensed Vehicles; Parking for Over Seventy-Two Hours; Towing Vehicles in Violation.** [Ord. of 2-10-1965, §§ 1-3]

- A. It shall be unlawful for any person to park any motor vehicle which is not licensed by the State on the streets of the City.
- B. It shall be unlawful for any person to park or stand any motor vehicle on any street in the City for a continuous period of over seventy-two (72) hours.
- C. The City Marshal is hereby directed to cause any motor vehicle parked in violation of this Section to be towed from the streets of the City. The costs of the towing of the vehicle shall

be at the expense of the owner thereof, or the person violating this Section.

**SECTION 15-24. Parking Prohibited Between 2:00 A.M. and 5:00 A.M. on Certain Streets.** [Ord. No. 2007-05 § 1, 2-13-2007]

That parking shall be and is herewith prohibited on Main Street from Highland Avenue to 13th Street, Broadway from Highland Avenue to Main Street, Franklin Avenue from 9th Street to 13th Street, any State Highway, a City side Street between 9th Street and 13th Street on Main Street and Franklin Avenue from 2:00 A.M. until 5:00 A.M. of each day for the best interest of the public health, safety and welfare.

**SECTION 15-25. Violations.** [Ord. No. 79-4 § 6, 2-6-1979]

- A. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed in this Article, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle. A Uniform Traffic Ticket may then be issued to the owner of the vehicle to answer the charge against him within five (5) days during the hours and at a place specified in and upon the traffic ticket.
- B. Such violations shall be considered misdemeanors and are punishable under Section 1-8 of this Code. The City Council may establish the fine upon conviction or plea of guilty for the first (1st), second (2nd), and third (3rd) offenses.

**SECTION 15-26. Parking within Fifteen Feet of Stop Sign.** [Ord. No. 2006-44 §§ 1 — 2, 10-10-2006]

- A. It shall be unlawful for any person to park a vehicle, except momentarily to pick up or discharge a passenger or passengers, within fifteen (15) feet upon the approach of any flashing signal, stop sign or traffic control signal located at the side of a roadway within the City limits of Lexington, Missouri.
- B. Any person, firm or corporation violating any provision of this Section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five dollars (\$5.00) or more than one thousand dollars (\$1,000.00), or may be imprisoned in the City or County Jail for not more than ninety (90) days, or both fine and imprisonment together with court cost therein.

**SECTION 15-27. Parking in a Zoned Residential District.** [Ord. No. 2006-45 § 1, 11-14-2006; Ord. No. 2015-01 § III, 1-13-2105]

No school buses, campers, camper-trailers, recreational vehicles, commercial vehicles, tractors, trailers, tractor-trailers, or trucks that exceed one (1) ton rated capacity shall be parked at the curb or on the street in a zoned Residential District unless specifically authorized by on-site signage or by Chapter 29, Zoning, Section 29-30, of the Lexington City Code of Ordinances.

**SECTION 15-28. through SECTION 15-48. (Reserved)**

ARTICLE III

## Vehicle License

**SECTION 15-49. Definition.** [Ord. of 7-21-1970, § 2; Ord. No. 2008-29 § 1, 10-14-2008]

MOTOR VEHICLE — As used in this Article shall include, but not be limited to, trucks, automobiles and motorcycles.

**SECTION 15-50. Required.** [Ord. No. 83-16, §§ 1-4,8, 11-1-1983]

- A. Every resident of the City of Lexington who shall own or operate a motor vehicle upon the streets, thoroughfares and alleyways of the City, shall, prior to the operation of said vehicle upon said streets, thoroughfares or alleyways of the City, obtain both a valid City License and valid State Licenses for each such motor vehicle.
- B. *Penalty.* Any violation of this Section is a misdemeanor punishable under the Section 1-8 of these ordinances.

**SECTION 15-51. Applicant to File Statement; Contents.** [Ord. of 7-21-1970, § 1; Ord. No. 2008-29 § 2, 10-14-2008]

The applicant shall, on a form prepared and furnished for that purpose, file in the office of County Assessor a statement containing the name and address of the owner of the motor vehicle, a description of the make, model and year of the motor vehicle to be licensed.

**SECTION 15-52. License Fee.** [Ord. of 7-21-1970, § 5; Ord. No. 73-17, § 1, 9-4-1973; Ord. No. 94-09 § 1, 5-10-1994; Ord. No. 2008-29 § 3, 10-14-2008]

The annual fee for a City license required by this Article shall be five dollars (\$5.00) for each motor vehicle.

**SECTION 15-53. When License is to be Obtained.** [Ord. of 7-21-1970, § 8; Ord. No. 2006-32 § 1, 7-11-2006]

All City licenses issued for motor vehicles shall be issued as of January first (1st) of each year. All licenses shall expire on the last day of December of each year. All persons acquiring a motor vehicle are required to purchase a license within thirty (30) days of the acquisition of the motor vehicle.

**SECTION 15-54. through SECTION 15-60. (Reserved)** <sup>5</sup>

**SECTION 15-61. License to Expire Upon Sale of Vehicle.** [Ord. of 7-21-1970, § 6; Ord. No. 2008-29 § 4, 10-14-2008]

Upon the sale of any motor vehicle licensed in accordance with this Article, the license shall immediately expire upon the sale of the vehicle.

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<sup>5</sup>. Editor's Note — Ord. no. 2008-29 § 5, adopted October 14, 2008, repealed sections 15-54 "delinquency penalty", 15-55 "grace period for new residents", 15-56 "licenses from other municipalities", 15-57 "payment of personal property taxes required prior to issuance", 15-58 "assignment of registration numbers, issuance of decal", 15-59 "affixing decal to vehicle", 15-60 "vehicle without decal properly affixed deemed unlicensed", 15-62 "replacement decal when new vehicle is purchased; fee" and 15-63 "records to be kept by city clerk" in their entirety. Sections derived from ord. no. 2006-32 § 1, 7-11-2006; ord. no. of 7-21-1970, §§ 1, 3 — 4, 7.

**SECTION 15-62. through SECTION 15-70. (Reserved)**

ARTICLE IV  
**Speed Regulations**

**SECTION 15-71. City Speed Limit.** [Ord. No. 74-13 § 1, 7-16-1974]

No person shall operate any vehicle on any street within the City at a greater speed than twenty-five (25) miles per hour, unless signs are erected designating another speed.

**SECTION 15-72. Maximum Speed Limit.** [Ord. No. 74-13 § 2, 7-16-1974]

Whenever signs are posted giving notice of the maximum legal speed limit established for a particular street or portion thereof, it shall be unlawful for any person to drive or operate any vehicle at a rate of speed in excess of such posted limit.

**SECTION 15-73. Must Drive Carefully and Prudently.** [Ord. No. 74-13 § 3, 7-16-1974]

Every person operating a motor vehicle on the streets of the City shall operate or drive the same in a careful and prudent manner, and in the exercise of the highest degree of care, and at a rate of speed so as not to endanger the property of another or the life or limb of any person, taking into consideration the time of day, the amount of vehicular and pedestrian traffic, the condition of the street or highway, the atmospheric conditions and the location with reference to intersecting streets or highways, curves, residences, or schools.

**SECTION 15-74. Driving too Slowly.** [Ord. No. 74-13 § 4, 7-16-1974]

No person shall drive a motor vehicle at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law. Peace Officers may enforce the provisions of this Section by directions to drivers, and in the event of apparent wilful disobedience to this Section and refusal to comply with the direction of any officer in accordance herewith, the continued slow operation of a vehicle by a driver shall be a misdemeanor.

**SECTION 15-75. Speed Meter Results Acceptable as Evidence.** [Ord. No. 74-13 § 5, 7-16-1974]

The use of, and results determined by any speed meter, machine or mechanism which seeks to reduce the error of manual operation to a minimum, shall be acceptable as evidence where driving in excess of posted speed limits is the cause of action; provided, however, that the use thereof shall not be construed to exclude any competent evidence secured by any other manner or means.

**SECTION 15-76. Timing of Traffic Signals.** [Ord. No. 74-13 § 6, 7-16-1974]

The City Traffic Engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

**SECTION 15-77. Speed Limit Signs to be Erected.** [Ord. No. 74-13 § 7, 7-16-1974]

That the City Traffic Engineer is authorized to erect signs and giving notice of the maximum legal speed limit as herein provided. The authority herein granted by the posting of maximum legal speed limit by the City Traffic Engineer is, however, subject to specific speed limits as may be set by ordinance by the City Council of the City of Lexington, Missouri.

**SECTION 15-78. through SECTION 15-85. (Reserved)**

ARTICLE V  
**Accessible Parking**

**SECTION 15-86. Accessible Parking — Generally.** [Ord. No. 92-14 §§ 1-6, 6-8-1992; Ord. No. 2012-34 § I, 11-13-2012]

- A. The City Council does hereby adopt the procedures and enforcement prescribed by Section 301.143, RSMo., and International Code Council Standard ICC/ANSI A117.1-2003, and subsequent versions, pertaining to the designation of parking spaces for the physically disabled.
- B. The following parking spaces are hereby designated as reserved for the exclusive use of vehicles displaying distinguishing license plates or placards issued pursuant to Section 301.142, RSMo., or a "disabled veteran" license plate issued pursuant to Section 301.071, RSMo., or a distinguishing plate or card designated for physically disabled persons issued by another State:
  - 1. Parking spaces on public streets and public parking lots as may be reserved and designated as "accessible" parking upon the approval of the Planning and Zoning Commission.
- C. New or restriped parking lots — designated car and van parking spaces and access aisles shall comply with then current versions of International Code Council Standard ICC/ANSI A117.1-2003 and Section 301.143.2, RSMo.
- D. A sign upon which is inscribed the international symbol of accessibility in white on a blue background and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or placard shall be posted immediately adjacent to and readily visible from each designated parking space. All signage for the designated space shall comply with Section 301.143, RSMo. Beginning August 28, 2011, all new signs erected under this Section shall not contain the words "Handicap Parking" or "Handicapped Parking" (Section 301.143.9, RSMo.).
- E. Any person who shall park a vehicle without the required distinguishing license plate or placard in a designated "accessible" car and van parking space shall be in violation of this Section and shall be deemed guilty of a misdemeanor punishable under Section 1-8 of the City Code of Ordinances and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00).

**SECTION 15-87. through SECTION 15-93. (Reserved)**

ARTICLE VI  
**Vehicle Noise Control**

**SECTION 15-94. Title and Purpose.** [Ord. No. 92-28 § 1, 2-9-1993]

This Article shall be known as the "Vehicle Noise Control Ordinance" and its purpose shall be to control and regulate the noise of motor vehicles.

**SECTION 15-95. Loud Sound Amplification Systems Prohibited.** [Ord. No. 92-28 § 2, 2-9-1993]

- A. No person operating or occupying a motor vehicle on a street, highway, alley, parking lot, or driveway shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of fifty (50) or more feet from the vehicle.
- B. "*Sound Amplification System*" means any radio, tape player, compact disc player, loud speaker, or other electronic device used for the amplification of sound.
- C. "*Plainly Audible*" means any sound produced by a sound amplification system from within the vehicle, which clearly can be heard at a distance of fifty (50) feet or more. Measurement standards shall be by auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass reverberations are included. The motor vehicle may be stopped, standing, parked or moving on a street, highway, alley, parking lot, or driveway.
- D. It is an affirmative defense to a charge under this Section that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply:
  - 1. The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition.
  - 2. The system was in an emergency vehicle or public safety vehicle.
  - 3. The system or vehicle was owned and operated by the City of Lexington or a gas, electric, communications or refuse company.
  - 4. The system or vehicle was used for the purpose of giving instructions, directions, talks, addresses, lectures or transmitting music to any person or assemblages of persons in compliance with ordinances of the City of Lexington.
  - 5. The system or vehicle was used in authorized public activities, such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City Administrator/Mayor.

**SECTION 15-96. Penalty.** [Ord. No. 92-28 § 3, 2-9-1993]

Any person, individual, partnership, corporation or association who violates any of the provisions of this Article is guilty of a misdemeanor and upon conviction, shall be punished as follows:

- 1. For a first offense, a fine of not less than fifty dollars (\$50.00) nor more than five hundred



dollars (\$500.00); and

2. For a second and subsequent offense in a calendar year, a fine of not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00) and/or imprisonment of not more than ninety (90) days.
3. Each day any violation hereof is found to exist or continues to exist shall be a separate offense and punishable as such hereunder.

## ARTICLE VII

### **Regulations of All-Terrain Vehicles, Utility Vehicles, Motorized Bicycles and Golf Carts**

**SECTION 15-97. Definitions.** [Ord. No. 2008-24 § 1, 9-9-2008; Ord. No. 2008-24A §§ 1 — 2, 10-14-2008]

*Definitions.* For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

**ALLEY OR ALLEYWAY** — Any street with a roadway of less than twenty (20) feet in width.

**ALL-TERRAIN VEHICLE** — Any motorized vehicle manufactured and used exclusively for off-highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control.

**BICYCLE** — A non-motorized vehicle consisting of a metal frame on two (2) wheels and having handlebars and a seat.

**BUSINESS DISTRICT** — The territory contiguous to and including a highway when, within any six hundred (600) feet along the highway, there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, office buildings, railroad stations, stores and public buildings, which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the roadway.

**COMMERCIAL VEHICLE** — Every vehicle designed, maintained or used primarily for the transportation of property which bears the name of the owner or business prominently and permanently displayed on the side thereof.

**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 roadway.

**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.

**GOLF CART** — Any motorized or electric vehicle designed to be used for transporting persons and equipment while playing golf and designed primarily for off-street/road use. Golf carts are typically sixty (60) inches or less in width and travel on three (3), four (4) or more low pressure

tires.

**MOTOR VEHICLE** — Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles.

**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. This definition includes mini-motorcycles or pocket bikes.

**MOTORIZED BICYCLE/MOPEDS/SCOOTERS** — Any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground.

**OFFICIAL TIME STANDARD** — Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be current use in the City.

**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 roadways collectively.

**SIDEWALK** — That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

**STREET OR HIGHWAY** — 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.

**UTILITY VEHICLES** — Any motorized vehicle manufactured and used exclusively for off-highway purposes which is sixty-three (63) inches or less in width, has an unladen dry weight of one thousand nine hundred (1,900) pounds or less, travels on four (4) or six (6) wheels and is used primarily for agricultural, landscaping, lawn care or maintenance purposes. This definition shall not pertain to riding lawnmowers.

**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.

**SECTION 15-98. All-Terrain and Utility Vehicles — Operation— Exceptions — Prohibited Uses — Penalty.** [Ord. No. 2008-24 § 2, 9-9-2008; Ord. No. 2008-24A §§ 1, 3, 10-14-2008; Ord. No. 2015-13 § I, 4-28-2015]

- A. No person shall operate an all-terrain vehicle or utility vehicle, as defined in this Chapter, upon the streets and highways of this City, except as follows:
1. All-terrain or utility vehicles owned and operated by a governmental entity for official use;
  2. All-terrain or utility vehicles operated for agricultural purposes or industrial

on-premises purposes between the official sunrise and sunset on the day of operation;  
or

3. All-terrain or utility vehicles whose operators carry a special permit issued by this City pursuant to this Chapter, and affixed to the vehicle. These permits shall be issued annually by the City. The fee for said permit shall be set by the City Council annually.
- B. A person operating an all-terrain or utility vehicle on a street or highway pursuant to an exception covered in this Section shall have a valid driver's license issued by a State authorizing such person to operate a motor vehicle, but shall not be required to have passed an examination for the operation of a motorcycle. The operator of an all-terrain or utility vehicle is required to obey all the same traffic laws as an operator of a motor vehicle. No person shall operate an all-terrain vehicle unless it has a valid title with the Department of Revenue.
- C. No person shall operate an all-terrain, utility vehicle or off-road vehicle, as defined in Section 301.001, RSMo., within any stream or river in this City, except that off-road vehicle may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or has permission to be upon, or for the purpose of fording such stream or river of the State at such road crossings as are customary or part of the highway system. The operator of an all-terrain, utility vehicle or off-road vehicle is required to obey all the same traffic laws and signage rules as an operator of a motor vehicle.
- D. No person shall operate an all-terrain or utility vehicle, as defined in this Chapter, on a street or highway:
1. In excess of the posted speed limit;
  2. In any careless or imprudent manner so as to endanger a person or property of another;
  3. While under the influence of alcohol or any controlled substance;
  4. Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle;
  5. Without liability insurance coverage in such amounts and under such terms that shall comply with the provision of Sections 303.010 through 303.044, RSMo., which said coverage, terms and requirements shall also cover and apply to said individual's operation of an all-terrain or utility vehicle;
  6. With a passenger or rider, unless said vehicle is designed for passengers or riders, and is equipped with proper seat belt equipment for each passenger.
- E. Every all-terrain and utility vehicle operated on a street or highway within the City shall have the following equipment:
1. A bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches and shall be dayglow in color;

2. A lighted headlamp and tail lamp which shall be in operation at any time in which an all-terrain or utility vehicle is being operated on any street or highway;
3. A braking system maintained in good operating condition; and
4. An adequate muffler system in good working condition, and a United States Forest Service qualified spark arrester.

**SECTION 15-99. Motorized Bicycles, Mopeds and Scooters — Operation — Exceptions — Prohibited Uses — Penalty.** [Ord. No. 2008-24 § 3, 9-9-2008; Ord. No. 2008-24A §§ 1, 4, 10-14-2008]

- A. A person operating a motorized bicycle, moped or scooter on a street or highway shall:
1. Have a valid driver's license issued by a State authorizing such person to operate a motor vehicle, but shall not be required to have passed an examination for the operation of a motorcycle;
  2. Have a special permit issued by this City pursuant to this Chapter and affixed to the vehicle. These permits shall be issued annually by the City. The fee for said permit shall be set by the City Council annually.
  3. Be required to obey all the same traffic laws and signage rules as an operator of a motor vehicle.
- B. No person shall operate a motorized bicycle, moped or scooter:
1. Without a valid driver's license;
  2. In excess of the posted speed limit;
  3. In any careless or imprudent manner so as to endanger a person or property of another;
  4. While under the influence of alcohol or any controlled substance;
  5. Without a securely fastened safety helmet on the head of an individual who operates a motorized bicycle, moped or scooter;
  6. Without adequate and appropriate insurance coverage;
  7. With a passenger or rider, unless said vehicle is designed for passengers or riders; provided however, that in no event shall the operator allow more than one (1) passenger or rider;
  8. During the period from 6:30 P.M. to 6:30 A.M. unless the vehicle is equipped with a front-facing lamp on the front and a rear-facing red reflector, at least two (2) square inches in reflective surface area or a rear-facing red lamp, pursuant to Section 307.185, RSMo.;
  9. Unless it is equipped in accordance with the minimum requirements for construction and equipment of MOPEDES, Regulation VESC-17, approved July, 1997, as promulgated by the Vehicle Equipment Safety Commission.

**SECTION 15-100. Golf Carts — Operation — Exceptions — Prohibited Uses — Penalty.** [Ord. No. 2008-24 § 4, 9-9-2008; Ord. No. 2008-24A §§ 1, 5, 10-14-2008]

- A. No person shall operate a golf cart, as defined in this Chapter, upon the streets and highways of this City, except as follow:
1. Golf carts owned and operated by a governmental entity for official use;
  2. Golf carts whose operators carry a special permit issued by this City pursuant to this Chapter and affixed to the left rear fender of the vehicle. These permits shall be issued annually by the City. The fee for said permit shall be set by the City Council annually.
- B. No person shall operate a golf cart on City streets or highways:
1. Unless the operator is at least eighteen (18) years of age and have a valid driver's license;
  2. In excess of the posted speed limit;
  3. Without a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches and shall be dayglow in color;
  4. In any careless or imprudent manner so as to endanger a person or property of another;
  5. While under the influence of alcohol or any controlled substance;
  6. Without adequate and appropriate insurance coverage;
  7. With a passenger or rider, unless said vehicle is designed for passengers or riders; provided however, that in no event shall the operator allow more than one (1) passenger or rider;
  8. During the period from 6:30 P.M. to 6:30 A.M. unless the vehicle is equipped with two (2) headlamps mounted at the same level on each side of the front of the vehicle and two (2) rear lamps, red in color, mounted at the same level on each side of the rear of the vehicle.
- C. The operator of a golf cart is required to obey all the same traffic laws and signage rules as an operator of a motor vehicle.

**SECTION 15-101. Penalty.** [Ord. No. 2008-24 § 5, 9-9-2008; Ord. No. 2008-24A § 6, 10-14-2008]

Any violation of the requirements or prohibitions of this Article shall be declared to be a misdemeanor and upon conviction, the person so violating shall be punished under Section 1-8 of the Lexington Municipal Code. Additionally, the court may require suspension of the special permit, prohibiting operation of the vehicle within the City limits.