1st Reading 8/27/2024
2nd Reading 9/10/2024

BILL NO. 24-27

ORDINANCE NO. 5479

AN ORDINANCE AMENDING CHAPTER 14 OF THE MUNICIPAL CODE OF THE CITY OF CRESTWOOD, MISSOURI, RELATING TO MOTOR VEHICLES AND TRAFFIC WITHIN THE CITY OF CRESTWOOD, MISSOURI, as amended.

WHEREAS, pursuant to Article VI, § 19(a) of the Missouri Constitution, the Charter of the City of Crestwood (the "City") gives the City all powers the General Assembly of the State of Missouri has authority to confer upon any city, provided such powers are consistent with the Constitution and are not limited or denied either by the Charter or by statute, and provides that the City shall, in addition to its home rule powers, have all powers conferred by law; and

WHEREAS, Section 71.010, RSMo authorizes the City to pass ordinances regulating subjects, matters and things upon which there is a general law of the state and shall confine and restrict its jurisdiction and the passage of its ordinances to and in conformity with state law; and

WHEREAS, Chapter 300 of the Missouri Revised Statutes includes regulations regarding motor vehicles; and

WHEREAS, City staff has undertaken a comprehensive review of Chapter 14 of the Municipal Code of the City of Crestwood, Missouri (the "Code"), relating to motor vehicles and traffic within the City; and

WHEREAS, pursuant to the authority granted to the City by its Charter, the Constitution of the State of Missouri, and Missouri statutes, the Board of Aldermen finds that the proposed amendments to Chapter 14 would be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: Chapter 14 of the Municipal Code of the City of Crestwood, Missouri, is hereby amended, to read as set forth in Exhibit A, which is incorporated herein by reference, is hereby enacted in lieu thereof.

SECTION 2: Article VII: Schedules of the Municipal Code of the City of Crestwood shall be re-enacted and renumbered to Article XIII: Schedules. Further, the references to Code sections numbers within this Article shall be renumbered as follows:

Schedule A1: reference to "§ 14-48" shall be amended to "§ 14-52";
Schedule A2: no change
Schedule B: reference to "§ 14-119" shall be amended to "§ 14-65";
Schedule C: reference to "§ 14-120" shall be amended to "§ 14-66";
Schedule D: reference to "§ 14-157" shall be amended to "§ 14-158";
Schedule E: reference to "§ 14-158" shall be amended to "§ 14-159";
Schedule F: reference to "§ 14-116" shall be amended to "§ 14-71";
Schedule F1: reference to "§ 14-116" shall be amended to "§ 14-71";
Schedule F2: reference to "§ 14-116" shall be amended to "§ 14-71";
Schedule G: reference to "§ 14-117" shall be amended to "§ 14-76";
Schedule H: reference to "§ 14-128" shall be amended to "§ 14-31".

SECTION 3: The following sections of the Municipal Code of the City of Crestwood shall be transferred to new sections in Chapter 14, as set forth in Exhibit A:

Section 9-25;
Section 9-28;
Section 16-29;
Section 17-10; and
Section 17-11.

SECTION 4: The chapter, article, division, and/or section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code upon supplementation of the Code, if, in the discretion of the editor, an alternative designation would be more reasonable. The entity with which the City contracts for compilation, revision and/or codification of the City's ordinances is authorized and directed to renumber and/or revise any reference in the City's Code to the former City Code Chapter 14 to reflect the appropriate

chapter, article, division, section, or subsection under the revised Chapter 14, and to update and revise any such reference in published versions of the City's Code, or any supplement thereto, including any versions of the Code maintained by such codification company available on the internet.

SECTION 5: It is hereby declared to be the intent of the Board of Aldermen that each and every part, section, and subsection, shall be separate and severable from each and every other part, section, and subsection hereof, including Exhibit A, and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect.

SECTION 6 The provisions of the City's Code which are reenacted, amended or revised by this Ordinance, so far as they are the same as those of a prior ordinance of the City, shall be construed as a continuation of such ordinance and not as a new enactment.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED this 10th day of September, 2024.

Mayor

ATTEST:

City Clerk

APPROVED this 10th day of September, 2024.

Mayor

EXHIBIT A

[*former section number in brackets, where applicable*]

Chapter 14. Motor Vehicles and Traffic

Article I. In General

§ 14-1. Definitions.

The following terms shall be defined as follows:

CONGESTED DISTRICT
: Any district lawfully designated by this chapter as a "congested district."

SCHOOL ZONE
: A space in any street lawfully designated by ordinance for the safety of persons going to and returning from public, private or parochial schools.

STREET or 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.

TRAFFIC-CONTROL DEVICE
: Any sign, signal, marking or device not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

Any term not specifically defined in this Chapter shall have the meaning set forth in § 300.010, RSMo, unless the context clearly dictates otherwise.

Article II. Administration and Enforcement of Traffic Regulations

§ 14-2. Model ordinance – Adopted; violations bureau; penalty.

(a) Pursuant to § 300.600, RSMo, Chapter 300, consisting of RSMo. §§ 300.010 through 300.600, commonly known as the "Model Traffic Ordinance," is hereby adopted by reference with like effect as if recited at length in this section, except as expressly modified herein.

(b) The traffic violations bureau is established pursuant to § 15-8, it shall assist the court with clerical work of traffic cases. The bureau shall be in the charge of such person or persons and shall be open at such hours as the municipal judge may designate.

(c) Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this section shall be subject to punishment under § 1-6 of this Code.

§ 14-3. Same – Additional definition.

In addition to the definitions of "highway," "roadway" and "street or highway" contained in Section 300.010, RSMo of the model traffic ordinance, those terms shall be construed to include

every way or place open for vehicular travel by the public, regardless of whether it has been legally established by constitutional authority or by the user for the statutory period of time as a public highway.

§ 14-4. Emergency and stationary vehicles-use of lights and sirens-right of way-procedures. [*old § 14-13*]

1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, RSMo., the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.
2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights, or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:
   (1) Proceed with caution and yield the right-of-way, if possible, with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or
   (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.
3. An "emergency vehicle" pursuant to this Section is as defined in Section 304.022.4 RSMo.
4. (1) The driver of any vehicle referred to in subsection 3 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.
   (2) The driver of an emergency vehicle may:
      (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025 RSMo.;
      (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
      (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
      (d) Disregard regulations governing direction of movement or turning in specified directions.
   (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

5. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

§ 14-5. Authority of police and fire department officials.

1. It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all traffic laws of the city and all of the state vehicle laws applicable to traffic in the city.
2. Officers of the police department or such officers as are assigned by the chief of police 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, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
3. Officers of the fire department, when at the scene of an incident, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
4. No person shall knowingly fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

§ 14-6. Disposition of fines and forfeitures. [*old § 14-5*]

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any provision of this chapter shall be paid into the City treasury and deposited in the general revenue fund.

§ 14-7. Persons propelling push carts or riding bicycles or animals. [*old § 14-6*]

Every person propelling any pushcart or riding a bicycle, electric bicycle, or an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

§ 14-8. Use of residential streets. [*old § 14-29*]

(a) With the exceptions set forth in subsection (b), all public streets in the City and all streets which may be laid out, approved or constructed in the residential zones as fixed by the Zoning Ordinance of the City are declared to be residential streets and shall be limited to the use of private passenger vehicles, bicycles, pedestrians and buses, trucks and commercial vehicles having a definite business or destination in the City, and shall not be open to travel by buses, trucks or commercial vehicles not having business or destination in the City but traveling through the City to points outside the City.

(b) Watson Road, Sappington Road, New Sappington Road, South Sappington Road, and that portion of Pardee Lane south of Watson Road to the south line of property zoned commercial or industrial are designated as through streets, open to all vehicular, pedestrian and bicycle traffic.

(c) The Director of Public Works may cause signs to be erected at the entrance into the principal residential streets in the City, warning that through trucks and commercial vehicles and buses are prohibited from such streets, except for local deliveries and destinations.

§ 14-9. Size and weight of vehicles. [*old § 14-27*]

(a) Except on Watson Road and any limited access state road where state regulations shall apply, it shall be unlawful to operate on, over or across any street in the City any vehicle, the width of which including load is greater than 96 inches or the height of which including load is greater than 12 1/2 feet or the length of which including load is greater than 35 feet and no combination of such vehicles coupled together of a total or combined length including coupling, in excess of 45 feet shall be operated on said streets, and not to exceed two vehicles shall be operated in combination. These restrictions as to length shall not apply to vehicles temporarily towing for repair purposes cars that have become disabled upon the streets, provided that not more than one car is being towed.

(b) Except on Watson Road and any limited access state roads where state regulations shall apply, no motor drawn or propelled vehicle, or combinations thereof, shall be moved or operated on the streets of the City when the gross weight thereof, in pounds, shall exceed the weight computed by multiplying the distance in feet between the first and last axles of such vehicles or combinations of such vehicles plus 40 by 700; nor shall the total gross weight, with load on any group of axles of a vehicle or combination of vehicles where the distance between the first and last axles of the group is 18 feet or less, exceed the weight, in pounds, computed by multiplying the distance in feet between the first and last axles of such group under consideration plus 40 by 650. No vehicle having a greater weight than 16,000 pounds on one axle when the wheels attached to the axle are equipped with high pressure pneumatic, solid rubber or cushioned tires, and no vehicle or combination of vehicles shall be moved or operated on the streets of the City having a greater weight than 18,000 pounds on one axle when the wheels attached to said axle are equipped with low pressure pneumatic tires, and no vehicle shall be moved or operated on the streets of the City having a load of over 600 pounds per inch width of tire upon any wheel concentrated on the surface of the street (said width in the case of rubber tires, both solid and pneumatic, to be measured between the flanges of the rim).

(c) It shall be unlawful to drive, convey or operate upon, over or across any improved public street or other public place in the City, any wagon, engine, tractor, truck or vehicle of any kind having on its wheels any clamps, ridges, extensions, projections, bars, bolts, rods, curves, gutters or other contrivance that will cut or mash holes, gashes or crevices into the streets or otherwise tear up, injure or damage the street or any part thereof.

(d) The Director of Public Works, with concurrence of the Missouri Department of Transportation or St. Louis County Department of Transportation (if applicable), shall have the right to post notices on each end of any bridge in the City, stating the maximum load that may be permitted on such bridge.

(e) It shall be unlawful for any person to fail to comply with the limitations or restrictions as to the use of such bridge or street as set forth in such notices.

(f) Any person violating this section, or who shall willfully or negligently damage a street of the City, shall be liable for the amount of such damage caused to any highway, street,

bridge, culvert or sewer, and any vehicle causing such damage shall be subject to a lien for the full amount of such damage; provided, however, that such lien shall not be superior to any duly recorded or filed chattel mortgage or other lien previously attached to such vehicle. The amount of such damage may be recovered in an action in any court of competent jurisdiction, in the name of the state, for the use of the City.

Article III. Speed and Responsibility

§ 14-30. Manner of operation of motor vehicles – careful and prudent.

(a) Every person operating a motor vehicle on the **roads** and highways of this City shall drive the vehicle in a careful and prudent manner 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 driving a motor vehicle shall fail to give full attention to the task of driving and to keep a proper lookout through the windshield, side windows and the rear mirror for any vehicles, motorcycles, motor scooters, farm tractors, bicycles, electric bicycles, **animals** and pedestrians that the driver may be approaching or who may be approaching the driver from any direction and from any street, alley or driveway.

§ 14-31 Posted Speed Limit [*old § 14-128(a)(g), and (h)*]

(a) Generally. Unless otherwise specified by this chapter, no person shall operate or drive a motor vehicle (except emergency vehicles on emergency runs) on any street in the City, at any time, at a rate of speed in excess of 20 miles per hour unless a higher maximum rate of speed applicable to certain designated portions of specific streets is fixed by ordinance and marked by signs erected at the beginning and end of such designated portions of such streets.

(b) Speed signs. It shall be the duty of the Director of Public Works to post signs at all entrances to the City showing the speed limits, and where there is a change in the lawful speed limit for a portion of a street or in traveling from one street to another, the change shall be clearly and legibly shown on signs of a design as set forth in § 14-52 of this chapter.

(c) Specific speed limits. No person shall drive a vehicle in excess of the speed limits set forth in Schedule H of this chapter.

§ 14-32 School Zone Speed Limit [*old § 14-128(b), (i), (j), and (k)*]

(a) School zones. No person shall operate or drive a motor vehicle in a legally designated school zone at a rate of speed in excess of 20 miles an hour, except that on Sappington Road the school zone speed limit shall be 25 miles per hour. Legally designated school zones within the City are as follows:

School	Location
Crestwood Elementary	Sappington Road from Reco Avenue to Elmont Lane
Long Elementary	Sappington Road from Craigwood Terrace to Eddie and Park
Our Lady of Providence	Pardee Road from Sunray Lane to Tremont Circle Drive Sunray Lane from Pardee Road to Cassia Court
Truman Elementary	Robyn Road from Eddie and Park to Glenfield Terrace

School zone speed limits on Sappington Road shall only be in effect when the yellow warning lights are flashing. School zone speed limits in all areas other than Sappington Road shall be in effect only from 7:00 a.m. to 5:00 p.m. on days when school is in session.

(b) Upon conviction or plea of guilty for exceeding the speed limit in a school zone designated in Subsection (a) of this section, and fine shall be assessed at the following rate for exceeding the speed limit:

Speeding 1 to 5 mph over the limit	$50.50 plus court costs
Speeding 6 to 10 mph over the limit	$121 plus court costs
Speeding 11 to 15 over the limit	$211.50 plus court costs
Speeding 16 to 19 mph over the limit	$301.50 plus court costs
Speeding 20 to 25 mph over the limit	$466.50 plus court costs

The Municipal Judge or Associate Circuit Judge issuing the sentence may reduce such fine in accordance with Missouri Supreme Court Rule 37.65 if the Judge finds the defendant has the ability to pay but is unable to pay the amount when assessed or due, or the Judge finds the defendant does not have the ability to pay the amount when assessed or due and is unable to acquire the resources to pay.

(c) For speeding violations in a school zone designated in Subsection (a) of this section, the prosecuting attorney shall designate such violation as requiring a court appearance as required by Missouri Supreme Court Rule 38.06. Police officers issuing violations shall note on the ticket that a court appearance is required and that fines are doubled.

(d) Subsections (b) and (c) of this section shall not apply in a school zone designated in Subsection (a) of this section, unless the Director of Public Services has erected signs notifying motorists of the enhanced fines in such school zone, provided that it shall not be a defense to a violation of this section that a motorist did not observe such signage or was not aware that enhanced fines would be assessed.

(e) "School zone" as used in this Chapter, shall mean a space in any street lawfully designated by ordinance for the safety of persons going to and returning from public, private or parochial schools.

§ 14-33 Excessively slow speed [*old § 14-128(f)*]

It shall be unlawful for any person to drive at such a slow speed or in such position on the roadway as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation, or because upon a grade, or in compliance with law. Traffic and police officers are hereby authorized to enforce this provision by directions to operators, and in the event of apparent willful disobedience to this provision and refusal to comply with the direction of an officer in accordance herewith the continued slow operation by an operator shall be unlawful and constitute a violation of this Section.

§ 14-34 Careless, imprudent and reckless driving [*old § 14-129*]

(a) Degree of care. Every person operating a motor vehicle on the streets of the City or on parking lots located in the City shall operate or drive the same in a careful and prudent manner, and shall exercise 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.

(b) Charges. In the summons, complaint or information charging a person with violation of subsection (a) of this section, the offense shall be described as "careless and imprudent driving" or as "careless and reckless driving" as hereinafter defined and shall be followed by a brief statement of the acts alleged to have been committed in such violation. It shall be unlawful for any person to operate or drive a motor vehicle on streets or parking lots located in the City in either a careless and imprudent manner or in a careless and reckless manner.

(c) Definitions. Careless and imprudent driving shall include, but shall not be limited to, the following:
   (1) Driving a motor vehicle at an excessive speed when said speed is not clocked;
   (2) Alternately starting and stopping a motor vehicle;
   (3) Rapidly accelerating a motor vehicle from a stop or low speed up to or in excess of the lawful speed;
   (4) Driving a motor vehicle in such a fashion as to cause its tires to make excessive noise or to cause chat or gravel from the driving surface to be thrown or expelled from its present location or to leave tire marks on pavement;
   (5) Repeatedly changing lanes in which a motor vehicle is being driven, commonly known as weaving;
   (6) Any other violation of subsection (a) of this section which does not include imminent danger to the lives of others or their property or injury to other persons and/or damage to their property.

(d) Violations. The charge of "careless and reckless driving" shall consist of any violation of subsection (a) or (c) which involves imminent danger to the lives of others or their property or injury to other persons and/or damage to their property.

§ 14-35 Distance at which vehicle must follow [*old § 14-114*]

(a) The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadway. Vehicles being driven upon any street, in a caravan or motorcade, whether or not towing other vehicles, shall be so operated, except in a funeral procession or in a duly authorized parade, so as to allow sufficient space between each such vehicle or combination of vehicles as to enable any other vehicle to overtake or pass such vehicles in safety. This subsection shall in no manner affect the following regulation regulating to distance between trucks and buses traveling on the roadway.

(b) The driver of any truck or bus, when traveling upon any street, highway, road or alley of the City, shall not follow within 300 feet of another such vehicle; provided, the provisions of this section shall not be construed to prevent the overtaking and passing by any such truck or bus, or another similar vehicle.

(c) Nothing herein shall be construed to prohibit local delivery trucks from traveling in the same direction within 300 feet of one another for a distance of not more than 500 feet.

(d) The term "bus" as used in this section means any vehicle or motor car designed and used for the purpose of carrying more than seven persons. The term "truck" means any vehicle, machine, tractor, trailer or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed or used in the transportation of property upon streets, roads, highways or alleys.

§ 14-36 Limitations on backing

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

§ 14-37 Vehicles following fire apparatus [*old § 9-28*]

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than 300 feet from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

§ 14-38 Vehicles crossing fire hose [*old § 9-25*]

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, drive, or any vehicular roadway without the consent of the Fire Chief.

§ 14-39 Operator's financial responsibility [*old § 14-30*]

(a) Proof of financial responsibility shall be carried in all motor vehicles registered in the State of Missouri and operated in the City of Crestwood. The operator of such a motor vehicle shall exhibit said proof on the demand of any peace officer who lawfully stops the operator while that officer is engaged in the performance of the duties of his office. Such insurance identification card may be produced in either paper or electronic format. Acceptable electronic forms include display of electronic images on a cellular phone or any other type of portable electronic device.

(b) As used in this section, proof of financial responsibility means proof of the ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance, or use of a motor vehicle. Said proof shall exhibit the extent of financial responsibility in dollar amounts not less than those required by Chapter 303, RSMo, as may be amended from time to time;

(c) The following items shall constitute proof of financial responsibility:

(1) An insurance identification card furnished by an insurer issuing a liability policy insuring the motor vehicle subject to the peace officer's lawful stop. The insurance identification card shall include all of the following information:

a. The name and address of the insurer;
b. The name and address of the named insured;
c. The policy number;
d. The effective dates of the policy, including month, day, and year;
e. A description of the insured motor vehicle, including the year and make or at least five digits of the vehicle identification number or the word "fleet" if the insurance policy covers five or more vehicles;
f. The statement "This card must be carried in the insured motor vehicle for production upon demand" prominently displayed on the card.

A motor vehicle liability insurance policy, a motor vehicle liability insurance binder, or a receipt which contains the policy information required in this subsection shall be satisfactory evidence of insurance in lieu of an insurance identification card.

(2) An insurance identification card furnished by the Missouri Director of Revenue to any self-insurer for each motor vehicle so insured, as provided for in Sections 303.024.4 and 303.220, RSMo, as may be amended from time to time. Such an insurance identification card shall include all of the following information:

a. The name and address of the self-insurer;
b. The word "self-insured";
c. The statement "This card must be carried in the self-insured motor vehicle for production upon demand" prominently displayed on the card.

(3) A certificate furnished by the Missouri Treasurer, as provided for in Section 303.240, RSMo, as may be amended from time to time, establishing that the owner and/or operator of the motor vehicle subject to the peace officer's lawful stop has deposited with the Missouri Treasurer cash or marketable securities in an amount sufficient under said statute to satisfy an execution on a judgment issued against such person making the deposit for damages resulting from the ownership, maintenance, use or operation of said motor vehicle after such deposit was made.

(4) Evidence of a surety bond filed with the Missouri Director of Revenue as provided by Section 303.230, RSMo, as may be amended from time to time.

(d) Any operator subject to a lawful stop who fails to exhibit proof of financial responsibility upon demand of the attendant peace officer shall be guilty of a violation of this Section and subject to any applicable section of the Municipal Code of the City of Crestwood.

§ 14-40 Leaving the scene of an accident. [*old § 14-131*]

No person operating a vehicle on the streets, knowing that an injury has been caused to a person or damage has been caused to property due to culpability of said operator or to accident shall leave the place of said injury, damage or accident without stopping and giving his name, residence, including City and street number, motor vehicle number and chauffeur's or registered operator's number, if any, to the injured person or to the operator or owner of the damaged vehicle, or to a police officer or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

§ 14-41 Parking lots; drive-ins; private ways [*old § 14-164*]

(a) Definitions. The following definitions shall apply in the construction of this section:

DRIVE-IN

A place where the occupants of motor vehicles are served while seated in the vehicle, including drive-in theaters, restaurants and filling stations.

PARKING LOT

An area on public or private property where spaces are provided gratuitously or for hire for the parking of motor vehicles; provided that, nothing herein shall be construed to include driveways or other portions of single-family residential lots used by the occupant and his invitees for parking automobiles, nor spaces on public streets where parking is permitted.

PRIVATE WAYS

Private streets and alleys, roadways and driveways at tourist courts, trailer camps, hotels and multiple-family dwellings and entrance drives into garages, repair shops and other mercantile business, commercial and industrial establishments.

(b) Traffic regulations applicable. Every person driving a vehicle in a parking lot, drive-in or private way as herein described shall drive the same in a careful and prudent manner and shall exercise ordinary care, and at a rate of speed not in excess of 20 miles per hour and at such lesser speed when required so as not to endanger the property of another or the life or limb of any person, taking into consideration the amount of vehicular and pedestrian traffic, the visibility and atmospheric conditions and the condition of the pavement. All regulations provided by this chapter applicable to motor vehicles on public streets with respect to signaling, lights, backing, turning and sounding of horns shall apply to persons driving vehicles in such places.

(c) Loading zones; stopping at exits. No person shall park or leave his vehicle in any parking lot, drive-in or private way in any space or so as to block or prevent the full and complete use of any space set aside by the owner of the property for loading or unloading, and the

driver of a vehicle leaving a parking lot, drive-in or private way shall bring the vehicle to a full and complete stop before entering any street. The Director of Public Works is authorized to erect stop signs at all exits from parking lots, drive-ins, and private ways at the entrance to any street or may authorize such signs to be erected by the owner of the property, and such stop signs whether erected by the City or by the owner shall constitute notice of the provisions of this section.

(d) Driving lanes; parking spaces. In any parking lot, drive-in or private way where lanes are marked for driving motor vehicles, they shall be observed, and where spaces are marked for the parking of automobiles, vehicles shall be parked in accordance therewith and without encroaching upon drives, reserved spaces, or other parking spaces. Drivers of vehicles in such places are required to enter and leave parking spaces with extreme caution so as to avoid injury or damage to persons and property, and vehicles shall not be parked, stopped, or operated in such manner as to block or unnecessarily hold up or delay the normal movement of other vehicles. Where fire hydrants are installed on the premises, no motor vehicle shall be parked within 10 feet of a hydrant or in such manner as to block access thereto by personnel and equipment of the Fire Department.

Article IV: Traffic Control Devices

§ 14-50 Signs-Placement [*old § 14-46*]

(a) It shall be the duty of the Director of Public Works to cause traffic signs to be erected in appropriate places, clearly visible to persons walking, riding or operating motor vehicles in the direction intended and required by law to be controlled, as follows:

(1) At all entrances to the City and at all other appropriate places throughout the City, speed signs indicating the lawful speed limit on the streets where the signs are erected;
(2) No parking signs;
(3) Fire lane signs along streets or other ways designated as such;
(4) At all lawfully established school stops and crosswalks;
(5) At all lawfully designated safety zones;
(6) At all loading and unloading zones;
(7) At all service car stops, bus stops or taxicab stops;
(8) At all reasonable intervals along a street or portion thereof on which parking is prohibited;
(9) At every major street intersection and at stop and yield intersections;
(10) At appropriate places along one-way streets;
(11) At all legally established quiet or emergency zones;
(12) At all places where designated as caution or danger zones;
(13) At all intersections where left-hand turns are prohibited or other limited or special access to the intersection is provided
(14) At all other places which may be provided for by lawful order or ordinance; and
(15) At all places where in the judgment of the Director of Public Works it is necessary to warn, notify or caution pedestrians or drivers of vehicles of any kind or description of special conditions or traffic regulations.

(b) The signs erected pursuant to this section shall bear such legend as is necessary to properly warn, caution or notify drivers of vehicles of the applicable traffic regulations provided by law.

§ 14-51 Same – Temporary disuse [*old § 14-47*]

Upon the recommendation of the Chief of Police, the Director of Public Works may, if it is necessary in his judgment for the protection of lives and property, authorize the police to put stop signs and other traffic signals regulating turns out of commission temporarily. Such signs shall be placed back in commission promptly upon written order from the Director of Public Works to the Chief of Police when the emergency conditions no longer exist in the judgment of the Director. During the period that such signs are out of commission they may be dismantled or turned away from the view of drivers of motor vehicles when capable of being so turned, or they may be shielded or masked.

§ 14-52. Traffic-control signals [*old § 14-48*]

(a) Intersections designated. Intersections described in Schedule A1 are designated traffic-control intersections. The intersections described in Schedule A2 are designated cautious right turn on red light.

(b) Fire station stop signal. A traffic signal is hereby authorized to be erected over Sappington Road in front of the fire station at 1495 South Sappington Road, which shall be activated by electric control to show a red stop sign only when fire vehicles are leaving or entering the fire station. At other times the signal may be off or may be equipped to show an amber flashing signal to caution the drivers of the proximity of the fire station. It shall be the duty of the Director of Public Works to paint white lines across which the fire station is located, to designate the lines at which vehicles shall stop in obedience to the red light. It shall be the duty of all drivers of motor vehicles to stop their vehicles before reaching said white lines when the signal shows a red light as vehicles approach from either direction. It shall also be the duty of the Director of Public Works to erect appropriate warning signs on Sappington Road to the north and south of the signal, so located that they shall caution and warn motor vehicle drivers of the existence of the traffic signal as they approach from either direction.

§ 14-53 Traffic control signal legend

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal as provided in section 300.160, RSMo, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 300.160, RSMo, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown except as provided in paragraph (b) of this subdivision;

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(c) Unless otherwise directed by a pedestrian control signal as provided in section 300.160 RSMo, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

§ 14-54 Traffic to stop when device is not operating.

When a traffic control device or signal is not operating through mechanical failure or for other reasons, all traffic shall come to a complete stop before operating onto or through the intersection.

§ 14-55 Design of traffic-control signs, signals, and devices. [*old § 14-52*]

All traffic-control signs, signals, and devices to be used in the City shall conform to the manual and specifications approved by the State Highway Commission, except that those signs, signals or devices which are necessary in the City parks or at entrances to City parks may be of a different design compatible with the park setting so long as the message conveyed by said sign is clear and understandable.

§ 14-56 Removal of signs and signals [*old § 14-13*]

Every sign, signal, marking, or device prohibited by this chapter is hereby declared to be a public nuisance, and the Chief of Police is hereby empowered to remove the same, or cause it to be removed, without notice.

§ 14-57. Obedience to traffic control devices.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this Code, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Code.

§ 14-58 Pedestrian control signals.

Whenever special pedestrian control signals exhibiting the words "Walk" or "Don't Walk", or appropriate symbols, are in place, such signals shall indicate as follows:

(1) "Walk", pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles;

(2) "Wait" or "Don't Walk", no pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the wait signal is showing.

§ 14-59 Flashing signals.

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(1) Flashing red (stop signal), when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign;

(2) Flashing yellow (caution signal), when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

§ 14-60 Traffic lanes.

(a) The ~~city traffic engineer~~ **Director of Public Works, or his/her designee,** is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(b) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparing to make a lawful turning movement.

§ 14-61 School buses [*old § 14-123, sans (c)*]

(a) The driver of a vehicle upon a street**, with fewer than four lanes,** in the City upon meeting or overtaking from either direction any school bus which has stopped on the street for the purpose of receiving or discharging any schoolchildren and whose driver has in the manner prescribed by law given the signal to stop 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. The provisions of this section shall apply to all school buses marked in accordance with the provisions of Section 304.050, RSMo.

(b) For the purpose of this section, a school bus shall be deemed to be on the street if it has stopped for the purpose of receiving or discharging any schoolchildren within the right-of-way lines of the street or highway, or on what is generally designated as the "shoulder" of the road, if within 10 feet of the paved surface of the road.

§ 14-62 School crosswalks [*old § 14-15*]

(a) Crosswalks six feet wide for the safety of school children and others going to and from school are hereby established at the following locations:

(1) Crestwood School. Extending from the east side of Sappington Road at the south driveway of Crestwood School westwardly across Sappington Road to the west edge of such road.

(2) Long School. Extending from the west side of Sappington Road at the south driveway of Long School eastwardly across Sappington Road to the east edge of such road.

(3) Our Lady of Providence School. Extending across Sunray Lane from north to south, just west of Chasebury Terrace.

(4) Truman School. Extending across Robyn Road from west to east, just south of Lowill Lane.

(5) Truman School. Extending across Robyn Road from west to east, just north of the most southern driveway entrance to the school parking lot.

(b) Drivers shall yield to any pedestrian by coming to a complete stop prior to entering the crosswalk. Drivers shall not proceed until all pedestrians have exited the crosswalk.

(c) It shall be unlawful for the driver of any vehicle to pass another vehicle going in the same direction within 100 feet of any crosswalk.

§ 14-63 School crossing guards. [*old § 14-16*]

(a) Employment. At designated school crossings, the Board of Aldermen, upon recommendation from the Chief of Police, may by order or resolution provide for a crossing guard to be employed by the City.

(b) Payment. School crossing guards shall be paid by the hour and shall be compensated out of funds provided for in the Police Department budget, at a rate to be approved as part of the order approving the budget.

(c) Insignia. At places where no school crossing has been designated by ordinance and the school authorities are of the opinion that a student patrol is necessary or advisable, such student patrol shall be equipped with flags or signs or wear such insignia as may indicate to motorists that they are there for the purpose of assisting children on their way to and from school or playgrounds.

(d) Duties. School crossing guards or student patrols shall not wave or signal motorists through crossings where signs or school stop signs are located, and shall not directly supervise traffic except to signal motorists to stop as required for the protection of children, and motorists are required to obey such signals; and it is hereby made the duty of all motorists to drive carefully and keep their vehicles under complete control and to proceed near or through school or playground crosswalks and other crossings where student patrols or crossing guards are stationed, with the highest degree of care so as to avoid injury to children and others.

(e) Stopping. When a school guard or student patrol is in the street for the purpose of guiding or escorting children at any crosswalk or school crossing or other place used by children on their way to and from school and playgrounds, motorists approaching the crossing shall stop at a safe distance from the crossing place, whether or not there is a school stop sign or other stop sign at or near such crossing, and shall not proceed until all of the children have safely crossed.

(f) Badges. The Police Department is hereby authorized to include in its budget an amount to be approved by the Board of Aldermen for the purchase of appropriate badges to be worn by school crossing guards, and the Chief of Police is hereby authorized to distribute such badges to school guards employed by the City as herein provided. If approved in the budget, the Police Department may also furnish the crossing guards with caps of a police type to assist motorists in identifying the school crossing guards.

(g) Records. The school crossing guards shall serve the hours designated by the Chief of Police, and he shall keep a record of the hours each school crossing guard is employed.

§ 14-64 Closing streets [*old § 14-51*]

The Director of Public Works or any law enforcement officer, with the approval of the Chief of Police, is authorized to close any street, alley, public place, or highway and withdraw the same from public use temporarily and during such period as public work thereon or other public emergency or expedience shall make such action necessary. No person shall use or attempt to use a street, alley, public place, or highway so withdrawn from public use or drive or attempt to drive

any vehicle or animal thereon. The Director of Public Works shall place a sign or placard at each end of the portion withdrawn from public use, such placard or sign to have the following words printed thereon in letters three inches high: "Street Closed. This street is closed to public use by authority of Municipal Code, § 14-64."

Article V. Stop and Yield intersections

§ 14-65 Through streets; stop intersections [*old § 14-119*]

Every vehicle shall be brought to a full and complete stop before entering or crossing any street or location in the City which is now or may hereafter be designated as a through street or as a stop intersection. Stop signs shall be erected at all such locations. The streets and locations designated as through streets or stop intersections are described in Schedule B.

§ 14-66 Yield intersections [*old § 14-120*]

(a) Signs to be known as "yield" signs shall be erected in the City as provided in this chapter to control the movement of traffic. A driver of a motor vehicle, upon entering an intersection, from a street having a yield sign prominently displayed near the intersection, shall observe the traffic approaching from all directions, give the right-of-way to the traffic in the street about to be entered and shall operate his vehicle in entering such intersection with the highest degree of care and caution at a speed of not more than 15 miles per hour.

(b) The intersections described in Schedule C are designated yield intersections as indicated.

§ 14-67 Right-of-way between vehicles [*old § 14-115*]

(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 street where there is no form of traffic control at such intersection.

(b) When two vehicles enter an intersection from different streets 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 each other from opposite directions when the driver of one of such vehicles is attempting 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) The driver of any vehicle shall stop as required by this chapter at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection on the through street or which are approaching so closely on the through street as to constitute an immediate hazard. The Director of Public Works may erect stop signs at the entrance of any public street into a through street.

(e) The driver of a vehicle about to enter or cross a street from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on said street.

(f) The driver of a vehicle intending to make a left turn into an alley, building, 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.

§ 14-68 Emerging from alley, driveway, or building

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

§ 14-69 Stop when traffic obstructed

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

Article VI. Turning and Lane Use

§ 14-70 Hand and mechanical signals [*old § 14-118*]

No person shall stop or suddenly decrease the speed of or turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided herein.

(a) An operator or driver when stopping, or when checking the speed of the operator's vehicle, if the movement of other vehicles may reasonably be affected by such checking of speed, shall extend such operator's arm at an angle below horizontal so that the same may be seen in the rear of the vehicle;

(b) An operator or driver intending to turn the operator's vehicle to the right shall extend such operator's arm at an angle above horizontal so that the same may be seen in front of and in the rear of the vehicle, and shall slow down and approach the intersecting highway as near as practicable to the right side of the highway along which such operator is proceeding before turning;

(c) An operator or driver intending to turn the operator's vehicle to the left shall extend such operator's arm in a horizontal position so that the same may be seen in the rear of the vehicle, and shall slow down and approach the intersecting highway so that the left side of the vehicle shall be as near as practicable to the center line of the highway along which the operator is proceeding before turning;

(d) The signals herein required shall be given either by means of the hand and arm or by a signal light or signal device in good mechanical condition of a type approved by the state highway patrol; however, when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then such signals shall be given by such light or device. A vehicle shall be considered as so constructed or loaded that a hand and arm signal would not be visible both to the front and rear when the distance

from the center of the top of the steering post to the left outside limit of the body, cab or load exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereon exceeds fourteen feet, which limit of fourteen feet shall apply to single vehicles or combinations of vehicles. The provisions of this subdivision shall not apply to any trailer which does not interfere with a clear view of the hand signals of the operator or of the signaling device upon the vehicle pulling such trailer; provided further that the provisions of this section as far as mechanical devices on vehicles so constructed that a hand and arm signal would not be visible both to the front and rear of such vehicle as above provided shall only be applicable to new vehicles registered within this state after the first day of January, 1954.

§ 14-71 Turning at intersections [*old § 14-116*]

(a) No vehicle in a residential district shall be turned left across the roadway so as to proceed in the opposite direction when any other vehicle is approaching from either direction where the same may create a traffic hazard.

(b) The streets and intersections described in Schedule F are designated as no-left-turn intersections as indicated in the schedule.

(c) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection, at a clearly marked stop line, but if none, then before entering the intersection.

(d) After stopping as required by paragraph (c), vehicular traffic facing a steady red signal may cautiously enter the intersection to make a right turn unless a sign is erected prohibiting such movement. Vehicular traffic entering the intersection to make a right turn on the steady red signal shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection.

(e) The streets and intersections described in Schedule F1 are designated as no-right-turn-on-red intersections as indicated in the schedule.

(f) The locations described in Schedule F2 are designated as no-right-turn locations.

§ 14-72 Driving on right side of street [similar to *old § 14-112*]

(a) All vehicles not in motion shall be placed with their right side as near the right-hand side of the highway or roadway as practicable, except on streets in the City where vehicles are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.

(b) Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction pursuant to 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 sections 304.014 to 304.025, RSMo. or traffic regulations herein;

(3) When the right half of a roadway is closed to traffic while under construction or repair;

(4) Upon a roadway designated by this Code as a one-way street and marked or signed for one-way traffic.

(c) It is unlawful to drive any vehicle upon any highway or road which has been divided into two or more roadways by means of a physical barrier or by means of a dividing section or delineated by curbs, lines or other markings on the roadway, except to the right of such barrier or dividing section, or to make any left turn or semicircular or U-turn on any such divided highway, except at an intersection or interchange or at any signed location designated by the state highways and transportation commission or the department of transportation. The provisions of this subsection shall not apply to emergency vehicles, law enforcement vehicles or to vehicles owned by the commission or the department.

(d) The Director of Public Works may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway or roadway, and all peace officers may direct traffic in conformance with such signs. When authorized signs have been erected designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

(e) Whenever any roadway has been divided into three or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;

(2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation;

(3) Upon all highways or roadways any vehicle proceeding at less than the normal speed of traffic thereon shall be driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, except as otherwise provided in sections 304.014 to 304.025 RSMo;

(4) Official signs may be erected by the highways and transportation commission or the highway patrol may place temporary signs directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign;

(5) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and except when a roadway has been divided into traffic lanes, each driver shall give to the other at least one-half of the main traveled portion of the roadway whenever possible.

(f) All vehicles in motion upon a highway having two or more lanes of traffic proceeding in the same direction shall be driven in the right-hand lane except when overtaking and passing another vehicle or when preparing to make a proper left turn or when otherwise directed by traffic markings, signs, or signals.

(g) All trucks registered for a gross weight of more than forty-eight thousand pounds shall not be driven in the far left-hand lane upon all interstate highways, freeways, or expressways within urbanized areas of the state having three or more lanes of traffic proceeding in the same direction. This restriction shall not apply when:

(1) It is necessary for the operator of the truck to follow traffic control devices that direct use of a lane other than the right lane; or

(2) The right half of a roadway is closed to traffic while under construction or repair.

(h) As used in subsection 7 of this section, "truck" means any vehicle, machine, tractor, trailer, or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed for or used in the transportation of property upon the highways. The term "truck" also includes a commercial motor vehicle as defined in section 301.010 RSMo.

§ 14-73 Overtaking a vehicle [*old § 14-113*]

(a) Generally. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations and exceptions stated in this chapter:

~~(1) A driver overtaking and desiring to pass a vehicle shall sound his horn before starting to pass. The horn shall be sounded only by a light touch, sufficient to warn the other person and need not be sounded if the other person obviously is aware of the driver's intention to pass.~~

~~(2)~~ (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

~~(3)~~ (2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(b) Passing on right. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

(1) When the vehicle overtaken is making or about to make a left turn;

(2) Upon a street with unobstructed pavement of sufficient width for two or more lines of vehicles in each direction;

(3) Upon a one-way street: The driver of a vehicle may overtake and pass another vehicle upon the right only under the foregoing conditions when such movement may be made in safety. In no event shall such movement be made by driving off the paved or main traveled portion of the roadway. The provisions of this subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.

(c) Visibility. Except when a roadway has been divided into three traffic lanes, no vehicle shall be driven to the left side of the center line of a highway or road in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

(d) When prohibited. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve of the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

(2) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel, or when approaching within 100 feet of or at any intersection or railroad grade crossing.

(e) Yellow lines on roadway. At tops of hills, around curves, at other obstructions or where it is determined by the Board of Aldermen that on portions of any street, road or highway the overtaking or passing of or driving to the left for passing in the opposite lane or lanes of travel would be especially hazardous, a yellow line shall be painted near or adjacent to the traffic stripe or center line dividing the lanes, indicating where no passing is permitted. Traffic shall not cross any yellow line which is in the right-hand area of traffic. The center line shall be designated by a white painted stripe. Where the no-passing provision applies only to traffic moving in one direction, the yellow line shall be on the side of the center line on which the traffic to be controlled travels. On state and federal highways, the State Highway Commission is authorized to mark such yellow lines. All such lines established by the State Highway Commission are hereby recognized and shall be observed by drivers of motor vehicles as though they had been established by the City. On other streets, roads and highways in the City, the location of the yellow lines shall be specified by ordinance. The yellow lines provided for in this section are established at the following locations:

(1) On Watson Road in the City as placed by the State Highway Commission;

(2) On both sides of the center line of Old Sappington Road between its intersection with Watson Road and New Sappington Road; and

(3) On both sides of the center line of New Sappington Road, from Big Bend Boulevard to Eddie and Park Road.

(f) No-passing signs. The Director of Public Works shall cause to be installed no-passing signs along both sides of the roads on Old Sappington Road between Watson Road and New Sappington Road, and on New Sappington Road between Big Bend Boulevard and Eddie and Park Road. The Director of Public Works shall install as many signs as in his discretion shall be necessary to sufficiently warn motorists that they are in the no-passing zone.

§ 14-74 Driving on roadway [*old § 14-111*]

Where roads and streets are paved with two or more lanes for traffic, drivers of vehicles shall drive only on the paved portion of the road; but when not paved, they shall drive on that portion of the road regularly used for vehicular traffic and shall not drive vehicles on the shoulders of roads or in the area outside of curbs or between curbs and sidewalks.

§14-75 Circumventing an intersection

It shall be unlawful for any person to shortcut an intersection by driving a vehicle off of the regularly traveled portion of streets and roads by cutting through private or public property not set aside and used regularly for street purposes in order to avoid obedience to a traffic sign or traffic signal, and the act of shortcutting a corner without stopping off of the street or road for a legitimate purpose shall be prima facie evidence of violation of this section.

§ 14-76 U-turns [*old § 14-117*]

(a) It shall be unlawful for the driver of any vehicle to turn such vehicle so as to proceed in the opposite direction at any intersection controlled by a traffic signal or police officer; nor shall such turn be made at any place unless the movement can be made in safety and without interfering with other traffic. The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction upon any curve or upon the approach to or near the crest of a grade, or at any place upon a roadway where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction along the roadway within a distance of 300 feet, or where the same may create a traffic hazard, or in any district lawfully designated by ordinance as a congested district.

(b) The turns referred to in this section shall be known as U-turns and said U-turns are specifically prohibited at the places listed under Schedule G.

§ 14-77 One-way streets [*old § 14-121*]

Upon any street designated as a one-way street, traffic shall move only in the indicated direction. A sign indicating the direction of traffic shall be erected and maintained at every intersection where movement in the opposite direction is prohibited.

§ 14-78 Traffic Island [*old § 14-127*]

All vehicular traffic shall drive to the right of the island located at the following intersections in the City:

(a) Trelane and Volz Drives;

(b) *Reserved.*

All vehicular traffic is prohibited from driving to the left of the island.

§ 14-79 Bus and truck lanes [*old § 14-14*]

A zone is hereby created, extending from Rock Hill Road on the East, westwardly along Watson Road to the western City limits of the City, within which buses and trucks are required to stay within the outside or right lane when traveling in either direction along said road, and in said zone no bus or truck may pass another bus or truck.

Article VII. Vehicle Licensing

§ 14-90 State License Plates

(a) Before being parked or operated on any street, alley, roadway, public driveway, or parking lot of the City every motor vehicle or trailer shall have displayed thereon valid license plate**(s)** or **a valid** temporary permit ~~issued by the Department of Revenue~~ entirely unobscured, unobstructed, all parts thereof plainly visible and kept reasonably clean, and fastened in such a manner that the letters or numerals are right side up and the plate does not swing. ~~On all motor vehicles one plate shall be displayed on the front and the other on~~

~~the rear of the motor vehicle, not less than eight (8) nor more than forty-eight (48) inches above the ground, except that on trailers, motorcycles, motor-tricycles, and motor scooters one plate shall be so displayed on the rear thereof.~~

(b) On all motor vehicles one plate shall be displayed on the front and the other on the rear of the motor vehicle, not less than eight (8) nor more than forty-eight (48) inches above the ground, except that on trailers, motorcycles, motor-tricycles, and motor scooters one plate shall be so displayed on the rear thereof. Motor vehicles with a gross vehicle weight rating (GVWR) of 18,000lbs or more are required to display one plate in the front or rear of the vehicle.

~~(b)~~ **(c)** No person is guilty of a violation of this section for failure to display license plates on the front of any motor vehicle until they have received two (2) plates for that vehicle.

~~(c)~~ **(d)** Every owner of a motor vehicle or trailer, which shall be operated or driven upon highways of this state, shall annually or biannually file, by mail or otherwise, in the office of the director of revenue, an application for registration.

§ 14-91 Certificate of Inspection [*old § 14-8*]

Any motor vehicle operated or parked on any street or highway in the City shall display a current and valid certificate of inspection and approval as prescribed by the state superintendent of highway patrol.

§ 14-92 Misrepresentation by using counterfeit license plates or temporary license tags or displaying plates of another vehicle

No person may make a replica, facsimile, or counterfeit of any number plate issued by the City, the State of Missouri, or any other state, or erase, change, or alter the number of any such plate, or knowingly use or display on any motor vehicle a replica, facsimile or counterfeit number plate or any plate on which the number has been erased, changed, or altered.

Article VIII. Operator's License

§ 14-100 Driver's License

Unless otherwise provided for by law, it shall be unlawful for any person to:

(1) Operate any vehicle upon any street or highway in this City unless the person has a valid license;

(2) Operate a motorcycle or motor-tricycle upon any street or highway of this City unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motor-tricycle as prescribed by the department of the Missouri Director of Revenue. The department may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motor-tricycle if the actual demonstration, required by section 302.173, RSMo, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motor-tricycle owned by such person or under such person's control to be driven upon any street or highway of this City by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motor-tricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

§ 14-101 Driving while license or driving privilege is canceled, suspended or revoked [*old § 14-132*]

No person shall operate any motor vehicle upon a street, highway, or roadway within the City while that person's license or driving privilege is canceled, suspended or revoked and before an official reinstatement notice or termination notice is issued by the Director of Revenue of the State of Missouri, pursuant to state laws, whether that person's license or driving privilege is that of a resident or non-resident of the State of Missouri. The Municipal Court of the City of Crestwood shall not suspend the imposition of sentence nor suspend execution of the sentence of such person, nor shall such person be eligible for probation until such person has served a minimum of 48 hours of imprisonment unless, as a condition of such probation, the court assesses a special deterrent payment to be made to the City in such amount as the municipal judge deems appropriate to ensure the person will not again violate the law, provided such amount shall not exceed the maximum fine that could be levied for conviction of said offense, and/or the person is directed to perform at least 40 hours of community service.

§ 14-102 Commercial driver's license

Except when operating under an instruction permit, no person may drive a commercial motor vehicle unless the person has been issued a commercial driver's license with applicable endorsements valid for the type of vehicle being operated as specified in sections 302.700 to 302.780, RSMo. A commercial driver's instruction permit shall allow the holder of a valid license to operate a commercial motor vehicle when accompanied by the holder of a commercial driver's license valid for the vehicle being operated and who occupies a seat beside the individual, or reasonably near the individual in the case of buses, for the purpose of giving instruction in driving the commercial motor vehicle. No person may be issued a commercial driver's instruction permit until he or she has passed written tests which comply with the minimum federal standards.

§ 14-103 Age of Drivers [*old § 14-10, sans (c)*]

Except as provided in §14-104:

(a) No person under the age of 16 years shall operate a motor vehicle on the streets of the City.

(b) The owner of any motor vehicle shall not permit any person under the age of 16 years to operate a motor vehicle on the streets of the City.

§ 14-104 Intermediate driver's licenses [*old § 14-10.1*]

(a) Any licensee who has been granted an intermediate driver's license shall have the same privileges to operate that classification of motor vehicle as a license issued pursuant to Section 302.177, RSMo, except that no person shall operate a motor vehicle on the highways of this state or City under such an intermediate driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in Subsection 1 of Section 302.130, RSMo, except the licensee may operate a motor vehicle without being accompanied if the travel is to or from a school or educational program or activity, a regular place of employment or in emergency situations as defined by the Director of Revenue by regulation.

(b) Each intermediate driver's license shall be restricted by requiring that the driver and all passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction shall not apply to a person operating a motorcycle. For the first six months after issuance of the intermediate driver's license the holder of the license shall not operate a motor vehicle with more than one passenger who is under the age of 19 who is not a member of the holder's immediate family. As used in this subsection, an intermediate driver's license holder's immediate family shall include brothers, sisters, stepbrothers, or stepsisters of the driver, including adopted or foster children residing in the same household of the intermediate driver's license holder. After the expiration of the first six months, the holder of an intermediate driver's license shall not operate a motor vehicle with more than three passengers who are under 19 years of age and who are not members of the holder's immediate family. The passenger restrictions of this subsection shall not be applicable to any intermediate driver's license holder who is operating a motor vehicle being used in agricultural work-related activities.

§ 14-105 Permitting certain persons to operate vehicles [*old § 14-11*]

No person owning or in control or in charge of a motor vehicle shall permit any person who is intoxicated or obviously or noticeably under the influence of alcohol or drugs to drive or operate a motor vehicle in the City, nor shall be permit any person without a valid, unexpired driver's license, which has not been suspended or revoked, to drive or operate such motor vehicle within the City.

§ 14-106 Failure to produce license on demand

A valid license as an operator or chauffeur issued under the provisions of the Statutes of the State of Missouri shall be carried at all times by the holder thereof while driving a motor vehicle in the City of Crestwood and shall be displayed upon demand of any police officer, peace officer or any other duly authorized person, for inspection when demand is made therefor. Failure of any chauffeur or operator of a motor vehicle to exhibit his license to any of the aforesaid officers, or other duly authorized officer, shall be presumptive evidence that said person is not a duly licensed chauffeur or motor vehicle operator.

Article IX. Equipment and Safety

§ 14-110 Lights

(a) No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway during the times when lighted lamps are required by law or this chapter unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as required by Sections 307.020 to 307.127 of the Revised Statutes of Missouri.

(b) Every motor vehicle other than a motor-drawn vehicle and other than a motorcycle shall be equipped with at least two approved headlamps mounted at the same level with at least one on each side of the front of the vehicle. Every motorcycle shall be equipped with at least one and not more than two approved headlamps. Every motorcycle equipped with a sidecar or other attachment shall be equipped with a lamp on the outside limit of such attachment capable of displaying a white light to the front.

(c) "When lighted lamps are required" means at any time from a half-hour after sunset to a half-hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead. Lighted lamps shall also be required any time the weather conditions require usage of the motor vehicle's windshield wipers to operate the vehicle in a careful and prudent manner as defined in section 304.012. The provisions of this section shall be interpreted to require lighted lamps during periods of fog even if usage of the windshield wipers is not necessary to operate the vehicle in a careful and prudent manner.

§ 14-111 Colors of various lamps – restriction of red lights, penalty.

Headlamps, when lighted, shall exhibit lights substantially white in color; auxiliary lamps, cowl lamps and spot lamps, when lighted, shall exhibit lights substantially white, yellow, or amber in color. No person shall drive or move any vehicle or equipment, except a school bus when used for school purposes or an emergency vehicle upon any street or highway with any lamp or device thereon displaying a red light visible from directly in front thereof.

§ 14-112 Dimming of lights.

Every person driving a motor vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations: Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet, or is within three hundred feet to the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five feet ahead, and in no case higher than a level of forty-two inches above the level upon which the vehicle stands at a distance of seventy-five feet ahead.

§ 14-113 Taillamps, reflectors

(a) Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

(b) Every motorcycle registered in this state, when operated on a street or highway of this City, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. A motorcycle may be equipped with a means of varying the brightness of the vehicle's brake light for a duration of not more than five seconds upon application of the vehicle's brakes.

§ 14-114 Signaling Devices [*old § 14-87*]

Every motor vehicle shall be equipped with a horn, directed forward, capable of emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to others using the street and to pedestrians. Such signal and device shall be used for warning purposes only and shall not be used for making any unnecessary noise. No other sound-producing signaling device shall be used at any time. Emergency vehicles of the Fire Department and underwriter salvage corps and vehicles being used by police officers in discharge of duty may use either a siren or bell; all other authorized emergency vehicles may use a bell or a horn only.

§ 14-115 Mufflers. [*old § 14-88*]

(a) Required. Mufflers on motor vehicles must be so constructed that no discernible noise or sound from the motor shall emit therefrom, and it shall be unlawful for any person to alter or in any way change a muffler on a motor vehicle so as to cause a discernible noise or sound. It shall be the duty of operators of motor vehicles in the City at all times to keep and have mufflers in good working order, and the type of mufflers popularly known as the "Hollywood" muffler and similar types of mufflers are expressly prohibited.

(b) Cutouts. Muffler cutouts shall not be used and no vehicle shall be in such 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. 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. Any cutout or opening in the exhaust pipe between the motor and the muffler on 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.

§ 14-116 Brakes [*old § 14-89*]

All motor vehicles, except motorcycles and motor-tricycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles and motor-tricycles shall be provided with one set of adequate brakes kept in good working order.

§ 14-117 Mirrors [*old § 14-90*]

All vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.

§ 14-118 Projections on vehicles [*old § 14-91*]

Any vehicle carrying poles or other objects, which project more than five feet from the rear or front of the vehicle, shall, during the period when lights are required, carry a red light at or near the rear end of the pole or other object projecting. At other times a red flag or cloth, not less than 16 inches square, shall be displayed at the end of such projection.

§ 14-119 Iron Tires [*old § 14-128(d)*]

No person shall operate a motor vehicle equipped with iron or other metal tires on any street in the City without a special permit from the Director of Public Works, which permit shall prescribe the route and other conditions under which the vehicle may be operated, and no such vehicle shall travel in excess of 10 miles per hour on any street unless so directed by the police.

§ 14-120 Towing vehicles [*old § 14-92*]

When one vehicle is being towed by another, they shall be coupled by a line so that the two vehicles will be separated by not more than 15 feet and there shall be displayed on the tow line a white cloth or paper so that the same will be clearly visible to other users of the street. During the time lights are required, the required lights shall be displayed by both vehicles.

§ 14-121 Loads which might become dislodged to be secured

All motor vehicles, and every trailer and semitrailer operating upon the streets or highways of this City and carrying goods or material or farm products which may reasonably be expected to become dislodged and fall from the vehicle, trailer or semitrailer as a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer or semitrailer shall have a protective cover or be sufficiently secured so that no portion of such goods or material can become dislodged and fall from the vehicle, trailer or semitrailer while being transported or carried.

§ 14-122 Obstruction to driver's view or driving mechanism [*old § 14-122*]

(a) The driver of any vehicle shall not drive the same when such vehicle is so loaded or is in such physical condition, or when there are in the front seat of such vehicle such number of

persons, as to obstruct the view of the driver to the front or sides, or to interfere with the driver's control over the driving mechanism of the vehicle.

(b) A passenger in a vehicle shall not ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle.

§ 14-123 Sun screening devices (window tint) [*old § 14-133*]

(a) Any person may operate a motor vehicle with front side wing vents or windows located immediately to the left and right of the driver that have a sun screening device, in conjunction with safety glazing material, that has a light transmission of 35% or more plus or minus 3% and a luminous reflectance of 35% or less plus or minus 3%. Except as provided in subsection (c) of this section, any sun screening device applied to front side wing vents or windows located immediately to the left and right of the driver in excess of the requirements of this section shall be prohibited without a permit pursuant to a physician's prescription as described below. A permit to operate a motor vehicle with front side wing vents or windows located immediately to the left and right of the driver that have a sun screening device, in conjunction with safety glazing material, which permits less light transmission and luminous reflectance than allowed under the requirements of this subsection, may be issued by the State of Missouri Department of Public Safety to a person having a serious medical condition which requires the use of a sun screening device if the permittee's physician prescribes its use. The permit shall allow operation of the vehicle by any titleholder or relative within the second degree by consanguinity or affinity, which shall mean a spouse, each grandparent, parent, brother, sister, niece, nephew, aunt, uncle, child, and grandchild of a person, who resides in the household. Except as provided in subsection (b) of this section, all other sun screening devices applied to the windshield of a motor vehicle are prohibited.

(b) This section shall not prohibit labels, stickers, decalcomania, or informational signs on motor vehicles or the application of tinted or solar screening material to recreational vehicles as defined in section 00.010, RSMo, provided that such material does not interfere with the driver's normal view of the road. This section shall not prohibit factory-installed tinted glass, the equivalent replacement thereof or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

(c) Any vehicle licensed with a historical license plate shall be exempt from the requirements of this section.

§ 14-124 Seat belts [*old § 14-93*]

(a) "Passenger car" defined. As used in this section, the term "passenger car" means every motor vehicle designed for carrying 10 persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles and trucks.

(b) Required; exceptions. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from

their vehicles, 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 and Safety Act requirements; except that, a child less than four years of age shall be protected as required in § 14-125 of this Code. Each driver of a motor vehicle transporting a child four years of age or more, but less than 16 years of age, in the front seat of the motor vehicle shall secure the child in a properly adjusted and fastened safety belt. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions 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.

(c) Violation; penalty. Any person who violates any of the provisions of this section shall be guilty of an offense and, upon conviction, may be punished by a fine of not more than $10.00. No court costs may be imposed for such violation, if court costs have been assessed on any other charge arising out of the same occurrence.

§ 14-125 Child passenger restraint systems [*old § 14-94*]

(a) As used in this section, the following terms shall mean:

(1) "Child booster seat", a seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 CFR 571.213, as amended, that is designed to elevate a child to properly sit in a federally approved safety belt system.

(2) "Child passenger restraint system", a seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 CFR 571.213, as amended, and which is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system.

(3) "Driver", a person who is in actual physical control of a motor vehicle.

(b) Every driver transporting a child under the age of 16 years shall be responsible, when transporting such child in a motor vehicle operated by that driver on the streets or highways of this City, for providing for the protection of such child as follows:

(1) Children less than four years of age, regardless of weight, shall be secured in a child passenger restraint system appropriate for that child.

(2) Children weighing less than 40 pounds, regardless of age, shall be secured in a child passenger restraint system appropriate for that child.

(3) Children at least four years of age but less than eight years of age, who also weigh at least 40 pounds but less than 80 pounds, and who are also less than four feet, nine inches tall, shall be secured in a child passenger restraint system or booster seat appropriate for that child.

(4) Children at least 80 pounds or children more than four feet, nine inches in height shall be secured by a vehicle safety belt or booster seat appropriate for that child.

(5) 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.

(6) 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. This subsection shall only apply to the use of a child passenger restraint system or vehicle safety belt for children less than 16 years of age being transported in a motor vehicle.

(c) Any driver who violates subdivision (1), (2), or (3) of subsection (b) of this section is guilty of an offense and, upon conviction, may be punished by a fine of not more than $50 and court costs. If a driver receives a citation for violating subdivision (1), (2), or (3) of subsection (b) of this section, the charges shall be dismissed or withdrawn if the driver prior to or at his or her hearing provides evidence of acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the party responsible for prosecuting the driver's citation.

(d) Any driver who violates subdivision (4) of subsection (b) of this section shall be subject to the penalty in section 307.178.5, RSMo, which provides that the driver shall be guilty of an offense and may be punished by a fine of not more than $10.00. No court costs shall be imposed and in no case shall points be assessed for violating subdivision (4) of subsection (b).

(e) The provisions of this section shall not apply to any public carrier for hire. The provisions of this section shall not apply to students four years of age or older who are passengers on a school bus designed for carrying 11 passengers or more and which is manufactured or equipped pursuant to Missouri Minimum Standards for School Buses as school buses are defined in section 301.010, RSMo.

§ 14-126 Safety helmet/headgear

(a) Any qualified motorcycle operator who is twenty-six years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she in addition to maintaining proof of financial responsibility in accordance with chapter 303, RSMo, is covered by a health insurance policy or other form of insurance which will provide the person with medical benefits for injuries incurred as a result of an accident while operating or riding on a motorcycle or motortricycle.

(b) Proof of coverage required by subsection a of this section shall be provided, upon request by authorized law enforcement, by showing a copy of the qualified operator's insurance card.

(c) No person shall be stopped, inspected, or detained solely to determine compliance with this section.

§ 14-127 Electronic communication device, use of while driving prohibited, when – citation of law – definitions – school bus operations, prohibited acts

(a) As used in this section, the following terms shall mean:

(1) "Commercial motor vehicle", the same meaning as is ascribed to such term in section 302.700 RSMo;

(2) "Electronic communication device", a portable device that is used to initiate, receive, store, or view communication, information, images, or data electronically.

(a) Such term shall include but not be limited to: cellular telephones; portable telephones; text-messaging devices; personal digital assistants; pagers; broadband personal communication devices; electronic devices with mobile data access; computers, including but not limited to tablets, laptops, notebook computers, and electronic or video game systems; devices capable of transmitting, retrieving, or displaying a video, movie, broadcast television image, or visual image; and any substantially similar device that is used to initiate or receive communication or store and review information, videos, images, or data.

(b) Such term shall not include: radios; citizens band radios; commercial two-way radio communication devices or their functional equivalent; subscription-based emergency communication devices; prescribed medical devices; amateur or ham radio devices; or global positioning system receivers, security, navigation, communication, or remote diagnostics systems permanently affixed to the vehicle;

(3) "Highway", the same meaning as is ascribed to such term in section 302.010, RSMo.;

(4) "Noncommercial motor vehicle", the same meaning as is ascribed to such term in section 302.700, RSMo;

(5) "Operating", the actual physical control of a vehicle;

(6) "Operator", a person who is in actual physical control;

(7) "School bus", the same meaning as is ascribed to such term in section 302.700, RSMo;

(8) "Voice-operated or hands-free feature or function", a feature or function, whether internally installed or externally attached or connected to an electronic communication device, that allows a person to use an electronic communication device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

(b) Except as otherwise provided in this section, while operating a noncommercial motor vehicle or commercial motor vehicle on any street or highway or property open to the public for vehicular traffic in this City, no operator shall:

(1) Physically hold or support, with any part of his or her body, an electronic communication device;

(2) Write, send, or read any text-based communication, including but not limited to a text message, instant message, email, or social media interaction on an electronic communication device. This subdivision shall not apply to operators of a noncommercial motor vehicle using a voice-operated or hands-free feature or function that converts the message to be sent as a message in a written form, provided that the operator does not divert his or her attention from lawful operation of the vehicle;

(3) Make any communication on an electronic communication device, including a phone call, voice message, or one-way voice communication; provided however, that this prohibition shall not apply to use of a voice-operated or hands-free feature or function;

(4) Engage in any form of electronic data retrieval or electronic data communication on an electronic communication device;

(5) Manually enter letters, numbers, or symbols into any website, search engine, or application on an electronic communication device;

(6) Watch a video or movie on an electronic communication device, other than watching data related to the navigation of the vehicle; or

(7) Record, post, send, or broadcast video, including a video conference, on an electronic communication device, provided that this prohibition shall not apply to electronic devices used for the sole purpose of continually monitoring operator behavior by recording or broadcasting video within or outside the vehicle.

(c) The operator of a school bus shall not use or operate an electronic communication device while the school bus is in motion unless the device is being used in a similar manner as a two-way radio to allow live communication between the operator and school officials or public safety officials. The operator of a school bus shall not use or operate an electronic communication device or a two-way radio while loading or unloading passengers.

(d) This section shall not apply to:

(1) Law enforcement officers or operators of emergency vehicles, as such term is defined in section 304.022, RSMo., who are both using the electronic communication device and operating the emergency vehicle in the performance of their official duties;

(2) Operators using an electronic communication device for the sole purpose of reporting an emergency situation and continuing communication with emergency personnel during the emergency situation;

(3) Operators of noncommercial motor vehicles using an electronic communication device solely through a voice-operated or hands-free feature or function;

(4) Operators of commercial motor vehicles using a voice-operated or hands-free feature or function, as long as the operator remains seated and is restrained by a seat belt as required by law;

(5) Operators of commercial motor vehicles reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed ten inches tall by ten inches wide in size;

(6) Operators using electronic communication devices while the vehicle is lawfully stopped or parked;

(7) Commercial motor vehicles that are responding to a request for roadside assistance, when such response is conducted by a motor club as defined in section 385.450, RSMo. or a towing company as defined in section 304.001, RSMo.;

(8) The use of an electronic communication device to relay information between a transit or for-hire vehicle operator and that operator's dispatcher, provided the device is mounted or affixed to the vehicle;

(9) The use of an electronic communication device to access or view a map for navigational purposes;

(10) The use of an electronic communication device to access or listen to an audio broadcast or digital audio recording; or

(11) The use of an electronic communication device to relay information through a transportation network company's digital network to a transportation network company driver, provided the device is mounted or affixed to the vehicle.

(e) A law enforcement officer who stops a noncommercial motor vehicle for a violation of this section shall inform the operator of the operator's right to decline a search of their

electronic communication device. No warrant shall be issued to confiscate or access an electronic communication device based on a violation of this section unless the violation results in serious bodily injury or death.

(f) A violation of this section shall not be used to establish probable cause for any other violation.

(g) The provisions of this section shall be subject to the reporting requirements set forth in section 590.650, RSMo.

(h) Prior to January 1, 2025, a law enforcement officer who stops a noncommercial motor vehicle for a violation of this section shall not issue a citation for a violation of this section and shall only issue a warning.

(i) No person shall be stopped, inspected, or detained solely for a violation of this section.

§ 14-128 Riding in open bed of truck prohibited, when, exceptions

(a) No person shall operate any truck, as defined in section 301.010, RSMo., with a licensed gross weight of less than twelve thousand pounds on any street of this City or highway of this City which is part of the state or federal highway system when any person under eighteen years of age is riding in the unenclosed bed of such truck. No person under eighteen years of age shall ride in the unenclosed bed of such truck when the truck is in operation.

(b) The provisions of this section shall only apply when a truck described in subsection 1 of this section is operated on a highway which is part of the state or federal highway system or when such truck is operated within the corporate limits of this City. The provisions of this section shall not apply to:

(1) An 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 a 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 subdivision the term "family" shall mean any persons related within the first degree of consanguinity.

Article X. Operating Vehicles Under the Influence/Alcohol Offenses

§ 14-130 Driving while intoxicated or with excessive blood alcohol content; testing [*old § 14-125*]

(a) Definitions. As used in this section the following terms shall have these prescribed meanings:

DRIVE, DRIVING, OPERATES or OPERATING

Physically driving or operating a motor vehicle.

INTOXICATED CONDITION

A person is in an "intoxicated condition" when he/she is under the influence of alcohol, a controlled substance, or drug, or any combination thereof.

(b) Driving while intoxicated or with excessive blood alcohol content.

(1) Generally. A person commits the offense of "driving while intoxicated" if he/she operates a motor vehicle while in an intoxicated and/or drugged condition.

(2) Driving with excessive blood alcohol content. A person commits the offense of "driving with excessive blood alcohol content" if he/she operates a motor vehicle in this City with 0.08% or more by weight of alcohol in his/her blood.

(3) Penalties. Any person convicted of or pleading guilty to either of the above-described offenses shall be subject to the penalties set forth in Chapter 1, § 1-6 of the Municipal Code of the City of Crestwood, plus any costs authorized by law.

(c) Chemical tests for alcohol content of blood. Consent implied (when); administered (when, how); and videotaping of chemical or field sobriety test admissible evidence:

(1) Any person who operates a motor vehicle upon the public highways of this state or any street in this City shall be deemed to have given consent to, subject to the provisions of Sections 577.020 to 577.041 RSMo., a chemical test or tests of the person's breath, blood, saliva, or urine for the purpose of determining the alcohol or drug content of the person's blood pursuant to the following circumstances:

a. If the person is arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated condition; or

b. If the person is under the age of 21, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person was driving a motor vehicle with a blood alcohol content of 0.02% or more by weight; or

c. If the person is under the age of 21, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person has committed a violation of the traffic laws of the state, or of the City, and such officer has reasonable grounds to believe, after making such stop, that such person has a blood alcohol content of 0.02% or greater; or

d. If the person is under the age of 21, has been stopped at a sobriety checkpoint or roadblock and the law enforcement officer has reasonable

grounds to believe that such person has a blood alcohol content of 0.02% or greater. The test shall be administered at the direction of the law enforcement officer whenever the person has been arrested or stopped for any reason.

(2) The implied consent to submit to the chemical tests listed in subparagraph (1) of this subsection shall be limited to not more than two such tests arising from the same arrest, incident, or charge.

(3) Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the provisions of Sections 577.020 to 577.041 RSMo., shall be performed according to methods approved by the State Department of Health by licensed medical personnel or by a person possessing a valid permit issued by the State Department of Health for this purpose.

(4) Upon the request of the person who is tested, full information concerning the test shall be made available to him/her.

(5) Any person given a chemical test of the person's breath pursuant to subparagraph (1) of this subsection or a field sobriety test, may be videotaped during any such test at the direction of the law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection or a field sobriety test, shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of Chapter 302, RSMo.

(d) Chemical tests, results admitted into evidence, when, effect of.

(1) Upon the trial of any person for violation of any of the provisions of this section, the amount of alcohol in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, saliva, or urine is admissible in evidence and the provisions of subsection (5) of Section 491.060 RSMo., shall not prevent the admissibility or introduction of such evidence if otherwise admissible. It shall be prima facie evidence that the person was intoxicated if such person has 0.08% or more by weight of alcohol in such person's blood.

(2) Percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

(3) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated.

(4) A chemical analysis of a person's breath, blood, saliva, or urine, in order to give rise to the presumption or to have the effect provided for in subparagraph (1) of this subsection, shall have been performed as provided in Sections 577.020 to 577.041 RSMo., and in accordance with methods and standards approved by the State Department of Health.

§ 14-131 Prior and persistent offenders. [*old § 14-125.2*]

(a) As used in this section, the term "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, or driving under the influence of alcohol or drugs in violation of state law or municipal or county ordinance.

(b) As used in this section, a "persistent offender" is one who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses committed at different times within 10 years of a previous intoxication-related traffic offense conviction.

(c) As used in this section, a "prior offender" is one who has pleaded guilty to or has been found guilty of an intoxication-related traffic offense within five years of a previous intoxication-related traffic offense conviction.

(d) Any person arrested under the provisions of § 14-130, above, who is a prior or persistent offender, shall, by the officer so arresting such person, be charged under the appropriate state statutes, and such charge shall be submitted to the prosecuting attorney of St. Louis County for appropriate action.

§ 14-132 Alcoholic beverages in vehicles. [*old § 14-125(e)*]

(1) No person shall transport an open container of an alcoholic beverage in a motor vehicle traveling upon the streets or highways of this City except in the original container which shall not have been opened and the seal upon which shall not have been broken, unless the opened container be in a compartment outside of the passenger compartment of the vehicle which is not accessible to the driver or any other person in such vehicle while it is in motion.

(2) No person shall consume any alcoholic beverage while operating a moving motor vehicle upon the streets and highways of this City.

(3) Nothing in this section shall be construed as to prohibit the otherwise legal consumption of alcoholic beverages by passengers on a privately or publicly owned transit authority that has been chartered and is not utilized for conveyance of the general public, where the operation and control of such conveyance is by a person not in possession of or with ready access to such alcoholic beverage. This section shall not apply to the living quarters of a recreational motor vehicle.

(4) A violation of this section (e) shall be punishable by a fine of not less than $25 and not more than $50 or incarceration for a period not to exceed 90 days, or a combination of both fine and incarceration.

§ 14-133 Recoupment of fees in alcohol or drug related traffic offenses. [*old § 14-125.3*]

Upon a plea of guilty or a finding of guilty for an offense of violating the provisions of § 14-130 of the Municipal Code of the City of Crestwood involving alcohol or drug related traffic offenses, the municipal court may, in addition to imposition of any penalties provided by law, order the convicted person to reimburse the Crestwood Police Department for the costs associated with such arrest. Such costs shall include the reasonable cost of making the arrest, including the cost of any chemical test made under this section to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking, and holding such person in custody. The Police Department may establish a schedule of such costs; however, the municipal court may order the costs reduced if it determines that the costs are excessive.

§ 14-134 Ignition Interlock Devices.

(a) It is an offense for a person to knowingly rent, lease or lend a motor vehicle to a person required to use an ignition interlock device on all vehicles operated by the person unless such vehicle is equipped with a functioning, certified ignition interlock device.

(b) It is an offense for a person who is required to use an ignition interlock device on all vehicles he or she operates to knowingly fail to notify any other person who rents, leases, or loans a motor vehicle to that person of such requirement.

(c) It is an offense for any person who is required to use an ignition interlock device on all vehicles her or she operates to knowingly request or solicit any other person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing the person so restricted with an operable motor vehicle.

(d) It is an offense for any person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing an operable vehicle to a person who is required to use an ignition interlock device on all vehicles her or she operates.

(e) It is an offense to tamper with or circumvent the operation of an ignition interlock device.

(f) It is an offense to knowingly operate a motor vehicle that is not equipped with a functioning certified ignition interlock device in violation of a court or Department of Revenue order to use such a device.

(g) It is not an offense for the employer of a person otherwise required to have an ignition interlock device on vehicles operated by that person (but not including as an employer the person as self-employer and not including any entity wholly or partially owned by the person) to allow such person to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only (but excluding any vehicle used for transporting children under the age of eighteen (18) years or vulnerable persons as defined in Section 630.005, RSMo) pursuant to an explicit court exemption variance.

Article XI. Alternative Modes of Transportation and Pedestrians

§ 14-140 Bicycles and motorized bicycles [*old § 14-25*]

(a) Definitions. As used in this section:

BICYCLE

Every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, except scooters and similar devices.

MOTORIZED BICYCLE

Any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than 50 cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

(b) Brakes. Every bicycle and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within 25 feet from a speed of 10 miles per hour on a dry, level, clean pavement.

(c) Lights; reflectors. Every bicycle and motorized bicycle, when in use on an alley, street, or highway during the period from one-half-hour after sunset to one-half-hour before sunrise, shall be equipped with the following:

(1) A front-facing lamp on the front, or carried by the rider, which shall emit a white light visible at night on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 500 feet;

(2) A rear-facing red reflector on the rear, at least two square inches in reflective surface area, which shall be visible at night on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 600 feet;

(3) Essentially colorless or amber reflectors on both the front and rear surfaces of all pedals. Each pedal reflector shall be recessed below the plane of the pedal or reflector housing. Each reflector shall have at least ninety/one-hundredths of one square inch in projected effective reflex area, and must be visible at night on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 200 feet; and

(4) A side-facing, essentially colorless, amber, or red reflector mounted on the wheel rim or the spokes of each wheel within three inches of the inside wheel rim, or continuous retroreflective material on each side of both tires which shall be at least 3/16 of an inch wide. All such reflectors or retroreflective tire sidewalls shall be visible at night on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 300 feet.

(d) Operation.

(1) ~~Every person operating a bicycle or motorized bicycle upon an alley, street or highway shall ride as near to the right side of the roadway as practicable~~ **Every person operating a bicycle or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway shall ride as near to the right side of the roadway as safe** except when placing such bicycle in position for and when such bicycle is lawfully making a left turn.

(2) Every person operating a bicycle or motorized bicycle upon an alley, street or highway shall exercise due care when passing a standing vehicle or one proceeding in the same direction.

(3) Whenever a usable path for bicycles, practical for sustained riding for transportation purposes, has been officially designated adjacent to a street or highway, bicycle riders shall use such path and shall not use the street or highway.

(e) Number of riders. Each bicycle or motorized bicycle shall be ridden or operated by no more than the number of riders for whom seats are provided at the time of manufacture unless after manufacture the bicycle has been equipped with a child carrier. Each bicycle or motorized bicycle equipped with a child carrier after the time of manufacture shall be ridden or operated by no more than the number of riders for whom seats are provided at the time of manufacture, plus one child; such child shall weigh no more than 40 pounds and shall be seated in the child carrier.

§ 14-141 Operating motorized skateboards and motorized play vehicles; definitions, prohibitions; penalty [*old § 14-31*]

(a) Purpose and intent. It is the purpose and intent of this section to provide for the regulation of motorized skateboards and motorized play vehicles in order to protect the safety of pedestrians, bicyclists, motor vehicle drivers and operators of motorized skateboards and motorized play vehicles alike.

(b) Definitions. In this section and in § 14-142, unless the context otherwise requires:

MOTORIZED PLAY VEHICLE

A three- to four-wheeled children's device, or other similar motorized vehicle that is self-propelled by a motor or engine, gas or electric, and which is not otherwise defined in the Crestwood Municipal Code as a "motor vehicle," "motorcycle," "motor-tricycle," or "motorized bicycle."

MOTORIZED SKATEBOARD

A self-propelled coaster, scooter, any other alternatively fueled device that has a motor, gas or electric, a deck on which a person may ride and at least one wheel in contact with the ground, and which is not otherwise defined in the Crestwood Municipal Code as "motor vehicle," "motorcycle," "motor-tricycle," or "motorized bicycle."

(c) Allowable operation. Motorized play vehicles may be operated on any public sidewalk, park trail or path, shared-use path, private property, or private property of another with written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

(d) Prohibited operation.

(1) No motorized skateboard may be operated on any public sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or shared-use path.

(2) No motorized play vehicle may be operated on any public roadway, or any other part of a highway or on any bikeway, bicycle path or trail, or equestrian trail.

(3) No motorized skateboard or motorized play vehicle may be operated on any private property of another without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

(4) No person shall operate a motorized skateboard or motorized play vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

(e) Responsibilities of parents, guardians, and legal custodians.

(1) The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.

(2) If a fine is imposed upon a minor who is found to be in violation of this section, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this section.

(f) Any violation of this section is punishable as an ordinance violation pursuant to § 1-6 of the Crestwood Municipal Code.

§ 14-142 Operating personal assistive mobility devices, golf carts, and low-speed vehicles; definitions, prohibitions; penalty [*old § 14-32*]

(a) Purpose and intent. It is the purpose and intent of this section to provide for the regulation of personal assistive devices, golf carts, and low-speed vehicles in order to protect the safety of pedestrians, bicyclists, motor vehicle drivers and operators of personal assistive mobility devices, golf carts, and low-speed vehicles alike.

(b) Definitions. In this section, unless the context otherwise requires:

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE (EPAMD)

A self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with an average power of 750 watts (one horsepower).

GOLF CART

A motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

LOW-SPEED VEHICLE

A four-wheeled vehicle whose gross vehicle weight rating (GVWR) is 3,000 pounds or less and has a maximum speed of 20 to 25 miles an hour.

MOTORIZED WHEELCHAIR

A wheelchair propelled by a motor.

(c) Allowable operation.

(1) Motorized wheelchairs, EPAMDs, and other similar devices may be used as a mobility assistive device on roads posted or regulated at 25 miles per hour or less, may cross roads posted or regulated at 30 miles per hour or more, and may be operated on sidewalks.

(2) Low-speed vehicles, golf carts or similar devices may be operated upon roads posted or regulated at 25 miles per hour or less, may cross roads posted or regulated at 30 miles per hour or more, but cannot be operated on sidewalks. The operator of a low-speed vehicle, golf cart, or similar device must be insured, have a valid driver's license, and the vehicle must be licensed with the State of Missouri if state law requires a license. Operators and passengers must wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements.

(d) Prohibited operation.

(1) No low-speed vehicle, golf cart, or similar device may be operated on any public sidewalk, or on any bikeway, bicycle path or trail, equestrian trail, or shared-use path.

(2) No motorized wheelchair, EPAMD, other similar motorized mobility assistive device, low-speed vehicle, golf cart, or similar device may be operated on any private property of another without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

(3) No person shall operate a motorized wheelchair, EPAMD, other similar motorized mobility assistive device, low-speed vehicle, golf cart, or similar device on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

(e) Responsibilities of parents, guardians, and legal custodians.

(1) The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.

(2) If a fine is imposed upon a minor who is found to be in violation of this section, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this section.

(f) Any violation of this section is punishable as an ordinance violation pursuant to § 1-6 of the Crestwood Municipal Code.

§ 14-143 Operating off-road vehicles; definitions, prohibitions; penalty [*old § 14-33*]

(a) Purpose and intent. It is the purpose and intent of this section to provide for the regulation of off-road vehicles in order to protect the safety of pedestrians, bicyclists, motor vehicle drivers and operators of off-road vehicles.

(b) Definitions. In this section, unless the context otherwise requires:

OFF-ROAD VEHICLE

Any vehicle designed for or capable of cross-country travel on or immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without benefit of a road or trail, and which is not otherwise defined in the Crestwood Municipal Code as a "motor vehicle," "motorcycle," "motor-tricycle," "motorized bicycle," "motorized play vehicle," "motorized skateboard," "personal assistive mobility device," "golf cart," or "low-speed vehicle."

(c) Allowable operation.

(1) An off-road vehicle may be operated on private property, provided that such use shall be subject to the prohibitions in Subsection (d) of this section.

(2) An off-road vehicle owned and operated by a governmental entity may be operated in connection with official use, provided that such use shall be subject to the prohibitions in Subsection (d) of this section.

(3) An off-road vehicle may be operated for agricultural purposes or industrial on-premises purposes, provided that such use shall be subject to the prohibitions in Subsection (d) of this section.

(4) The operator of an off-road vehicle must be insured, have a valid driver's license, and the vehicle must be licensed with the State of Missouri, if state law requires a license for operation of such vehicle.

(d) Prohibited operation.

(1) No off-road vehicle may be operated on any public sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, shared-use path, or within any City park.

(2) No off-road vehicles may be operated on any private property within 100 feet of a property line.

(3) No off-road vehicles may be operated on private property of another without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

(4) No person shall operate an off-road vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and

quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

(e) Responsibilities of parents, guardians, and legal custodians.

(1) The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.

(2) If a fine is imposed upon a minor who is found to be in violation of this section, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this section.

(f) Any violation of this section is punishable as an ordinance violation pursuant to § 1-6 of the Crestwood Municipal Code.

§ 14-144 Walking along roadway; impeding and obstructing vehicular and pedestrian traffic. [*old § 14-71*]

(a) Where sidewalks are provided, no person shall walk or otherwise move along and upon an adjacent roadway.

(b) Where sidewalks are not provided, or where sidewalks are provided but are obstructed or inaccessible, any person walking along or otherwise moving along and upon a road shall, when practical, walk or otherwise move only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(c) No person, or persons congregating with another or others, shall stand or otherwise position himself or herself in any public place, including roadways, sidewalks, and recreational trails, in such a manner as to obstruct, impede, interfere, hinder, or delay the reasonable movement of vehicular, bicycle, or pedestrian traffic.

(d) Nothing in subsections (a) and (b) of this Section shall be deemed applicable to a parade or procession for which a permit has been obtained pursuant to Section 14-145 of this Code.

§ 14-145 Parades and processions. [*old § 14-17*]

(a) It shall be unlawful for any person to conduct or to take part in or upon any streets, city park, or other public places in this City, any procession or parade comprising more than six (6) vehicles or a group of pedestrians more than eight (8) feet in width or more than forty (40) feet in length, under the direction of one or more persons, except funeral processions, without first obtaining a permit from the Chief of Police under subsection (b) of this Section.

(b) No parade or procession shall occupy, march, or proceed along any public street, roadway or public property except in accordance with a permit issued by the Chief of Police. An application for a permit under this Section shall be made on forms prescribed by the City Clerk and shall be available at City Hall. The City Clerk shall establish a fee payable by applicants for reviewing and processing permits under this section. The written application for such permit shall be filed with Chief of Police not less than five (5) days nor more than six (6) months before the proposed parade or procession to allow adequate arrangements to be made for the proper policing of same. The application shall contain the following:

(1) The name of the applicant, sponsoring organization, parade or procession chairman and the addresses and telephone numbers of each;

(2) The purpose of the parade or procession, the date when it is proposed to be conducted, the location of the assembly area, the route to be traveled and the approximate time when the parade or procession will assemble, start and terminate;

(3) A description of the individual floats, marching units, vehicles, bands, if any, including description of the sources of noise and any sound amplification equipment to be used; and

(4) Such other information as the Chief of Police may deem reasonably necessary.

(c) The application for a permit may be granted if the applicant establishes to the reasonable satisfaction of the Chief of Police that the application complies with the requirements of this Article and the parade or procession will not:

(1) Substantially interrupt the safe and orderly movement of other traffic in the vicinity of the route;

(2) Require the diversion of so great a number of police officers, firefighters, ambulances and other first responders of the City so as to disrupt the normal and necessary provision of such services to the City;

(3) Unduly interfere with the provision of police, fire and ambulance services to the areas contiguous to the assembly areas, due to the concentration of persons, animals and vehicles on the parade route;

(4) Present an unreasonable risk of injury to persons and property or provoke disorderly and/or unruly conduct;

(5) Create an unreasonable amount of noise based upon the character of the neighborhood of the proposed parade route or the time and date of the proposed parade; or

(6) Pose an unreasonable risk to the health, welfare and safety of the City's residents and businesses for any other reason.

(d) The Chief of Police may approve or deny an application or may conditionally approve an application upon such terms or conditions as may, in the reasonable judgment of the Chief of Police, best provide for protection of the public health, safety and welfare.

(e) The Chief of Police may also deny an application and tentatively authorize an alternative permit to an unsuccessful applicant, providing a permitted date, time and route for the parade. The alternative permit may include any other conditions or requirements that the Chief of Police deems necessary to ensure that the parade will comply with the requirements set forth in the City's Code. An applicant may accept the alternative parade route by notifying the Chief of Police, in writing, of such acceptance within three (3) days of receiving the offered alternative permit. Any alternative permit must comply with the requirements for parade permits set forth herein.

(f) An applicant may appeal the denial, conditional approval, or tender of an alternative parade permit by the Chief of Police. The appeal shall be in writing and directed to the Board of Aldermen and must be filed with the City Clerk within three (3) days of the receipt of the notice of the Chief's determination. The Board of Aldermen shall review the application de novo and render such determination as warranted under the circumstances at the next meeting of the Board of Aldermen. The Board of Aldermen may reverse or modify the decision of the Chief of Police by a majority vote of those members of the Board of Aldermen who are present.

(g) Any parade permit issued under this Section may set forth conditions reasonably necessary for the protection of the rights, property, and personal safety of all parties. Failure to

substantially fulfill the conditions set forth in such permit shall render such permit null and void.

(h) As a condition of issuing the parade permit, the Police Department shall determine whether it is necessary to provide police services adjacent to the permit area to regulate vehicular and pedestrian traffic. If the Police Department determines that services are needed, applicant will be required to pay a fee of $45.00 per hour, per needed Police employee, prior to issuance of a parade permit, in addition to the permit fee required under subsection (b) of this Section, and any other applicable permit fees. Upon issuance of such permit, the Police Department may provide police services adjacent to the permit area to regulate vehicular and pedestrian traffic, conditioned upon the availability of a sufficient contingent of on-duty personnel to provide such services without diminishing routine service levels to the entire community.

(i) By applying for and being granted such permit, the applicant shall assume all civil liability arising from conditions, restrictions, or omissions on the face of the permit.

(j) The following prohibitions shall apply to all parades and processions:

(1) It shall be unlawful for any person at any parade or procession to carry or possess any weapons.

(2) It shall be unlawful for any person to carry or possess glass bottles, glass jars or glass containers of any kind unless such glass container is a vial required to hold medication customarily stored in a glass vial.

(3) It shall be unlawful for any person to carry or possess spray paint cans.

(4) It shall be unlawful for any person to carry or possess bricks, stones, rocks or pieces of asphalt or concrete during a parade or procession. No person may carry or possess with the intent to unlawfully use any hard materials or substances or pieces of hard materials or substances that are capable of being thrown or projected.

(5) It shall be unlawful for any person to carry or possess any projectile launcher or other device which is commonly used for the purpose of launching, hurling, or throwing any object, liquid, material, or other substance, including, but not limited to, super soakers and water cannons. Nothing in this Section is intended to prohibit or restrict those participating in parades, demonstrations, rallies, or assemblies from possessing sufficient water or other liquids designed and intended for human consumption during such an event.

(6) It shall be unlawful for any person to carry or possess any so-called sleeping dragon device with the intent to use the device to deny or obstruct the public's ability to freely move about on roadways, sidewalks or into or out of buildings. For purposes of this Section, a 'sleeping dragon device' shall mean a section of pipe or a container filled with weighted material, handcuffs, chains, carabineers, or other locking devices used to lock a person or persons to another person or persons or other objects.

(7) It shall be unlawful for any person to ride, drive or cause to be ridden or driven any animal-drawn vehicle upon any public street as a part of a parade or public assembly unless such transportation is specifically authorized by the permit.

(8) No person shall cross or breach a lawfully erected barricade or police line.

(k) Nothing in this Section is intended to authorize the possession or use of materials, weapons or devices that are otherwise prohibited by any other local, State or Federal ordinance, Statute, or regulation. The purpose of this Section is to prohibit the carrying or possession

of items and materials that have the potential to be used as weapons to cause physical or personal damage and whose possession might not otherwise be prohibited by city ordinance, State or Federal law.

§ 14-146 Pedestrians' right-of-way in crosswalks.

(a) When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) Subsection 1 shall not apply under the conditions stated in subsection 2 of section 300.390 RSMo.

(d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

§ 14-147 When pedestrians shall yield.

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

§ 14-148 Prohibited crossing.

(a) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(b) No pedestrian shall cross a roadway other than in a crosswalk in any business district.

(c) No pedestrian shall cross a roadway other than in a crosswalk upon any street designated by ordinance.

(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

Article XII. Parking

§ 14-150 Owners' responsibility [*old § 14-151*]

If any vehicle is found upon a street in violation of any provision of this chapter regulating the stopping, standing, or parking of vehicles and the identity of the operator cannot be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

§ 14-151 Stopping Prohibited in specified places

No person may stop, stand, or park a vehicle in any place hereof or in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police or traffic control sign or signal:

a. Within an intersection.
b. On a crosswalk or at any intersection, within twenty (20) feet of a crosswalk.
c. Within fifteen (15) feet of the intersection of curb lines, or if no curbs, then within fifteen (15) feet of the intersection, of property lines at the intersection, except at alleys, or in the alternative, there shall be no parking within a distance not exceeding seventy-five (75) feet of street intersections, when the Chief of the Police Department finds that traffic or topographical conditions are such as to create traffic hazards and causes to be erected a suitable sign reading "No Parking Here to Corner."
d. Within thirty (30) feet of any flashing beacon, stop sign, or traffic control signal located at the side of the roadway.
e. Within ten (10) feet of the driveway entrance to any fire station.
f. Within ten (10) feet of a fire hydrant.
g. In front of a driveway, or the minimum number of feet required but not to exceed thirty (30) feet of either side of a driveway entrance where the Police Department has determined that stopped vehicles constitute a hazardous view obstruction to those persons exiting a driveway. The latter locations, so determined by the Police Department, shall be posted.
h. Within ten (10) feet of any United States mailbox.
i. On a sidewalk.
j. Alongside or opposite any street excavation or obstruction, when such stopping, standing, or parking would obstruct travel.
k. On the roadway side of any vehicle stopped or parked at the right-hand edge or curb of a street.
l. At any place where official traffic signs have been erected prohibiting or limiting stopping, standing, and parking, in accordance with ordinance directions.
m. Within fifty (50) feet of the nearest railway crossing, except as required by ordinance.
n. In any place marked as a passenger or no parking zone not to exceed three (3) minutes.
o. In any place marked as a loading zone for a period of time longer than is necessary

§ 14-152 Parking not to obstruct traffic

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

§ 14-153 Unattended vehicles [*old § 14-152*]

No person having control or charge of a motor vehicle shall allow such vehicle to stand in any street unattended by a licensed driver without first setting the brakes thereon, stopping the motor, removing the ignition keys from the vehicle and, when standing upon a perceptible grade, without turning the front wheels of the vehicle toward the nearest, if any, curb or the near side of the roadway.

§ 14-154 Standing or parking close to curb [*old § 14-153*]

(a) Except when necessary, in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway, heading in the direction of traffic, and with the curbside wheels of the vehicle within one foot of the edge of the roadway, except as follows:
   (1) Upon those streets which have been marked or posted with signs for angle parking, a vehicle shall be parked at the angle to the curb indicated by such marks or signs.
   (2) In places where, and at hours when, stopping for the loading or unloading of merchandise or materials is permitted, a vehicle used for the transportation of merchandise or materials may back into the curb to take on or discharge loads, when the owner of such vehicle holds a permit granting him such special privilege and provided further that such permit shall be either in the possession of the operator or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load, and it shall be unlawful for any owner or operator to violate any of the special terms or conditions of any such special permit.

(b) The Director of Public Works, with the consent of the Board of Aldermen, shall determine upon what streets angle parking shall be permitted and shall mark or post signs on such streets.

(c) The Chief of Police may issue to any owner of a vehicle used to transport merchandise or materials a special permit, in no event to be for a period longer than one day and to state therein the terms and conditions thereof, allowing the operator of such vehicle the privilege of loading and unloading while the vehicle is backed against the curb, if in the opinion of the Chief of Police such privilege is reasonably necessary in the conduct of the owner's business and will not seriously interfere with traffic.

§ 14-155 Loading or unloading in certain places [*old § 14-154*]

(a) The Director of Public Works with the consent of the Board of Aldermen shall have authority to determine the location of passenger zones and loading zones and shall erect and maintain or cause to be maintained appropriate signs indicating the same.

(b) The operator of a vehicle shall not stop, stand, or park a vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers in any place marked as a passenger zone.

(c) The operator of a vehicle shall not stop, stand, or park a vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers, or for the unloading and delivery or pick up and loading of materials, in any place marked as a loading zone. In no case shall the stop for loading and for unloading of materials exceed 15 minutes. This subsection shall not be applicable between the hours of 6:00 p.m. and 6:00 a.m.

§ 14-156 Bus stops; service car stops; taxicab stands [*old § 14-155*]

(a) The Chief of Police, with the consent of the Board of Aldermen, is hereby authorized and required to establish bus stops, service car stops and taxicab stands on such public streets, in such places and in such number as shall be determined to be of the greatest service and convenience to the public, and every such bus stop, service car stop and taxicab stand shall be designated by appropriate signs.

(b) The driver of any vehicle other than a bus shall not stand or park in an officially designated bus stop. The driver of any vehicle other than a service car shall not stand or park in an officially designated service car stop. The driver of any vehicle other than a taxicab shall not stand or park in any officially designated taxicab stand. The driver of any passenger vehicle may temporarily stop in any such stop or stand for the purpose of and while actually engaged in the loading or unloading of passengers.

(c) It shall be unlawful for the operator of any bus, taxicab or service car to stand or park upon any street in any congested district at any place other than at a bus stop, taxicab stand or service car stop, respectively, except that this provision shall not prohibit the driver of any vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

§ 14-157 Parking vehicle for sale or advertising [*old § 14-156*]

(a) No person shall park upon a street any vehicle displayed for sale.

(b) No person shall park on any street any vehicle for the primary purpose of displaying advertising.

(c) On Watson Road, no person shall park a vehicle for sale or for display advertising closer than 15 feet from the pavement of the street.

§ 14-158 No parking zones [*old § 14-157*]

When signs are erected giving notice thereof, no person shall park a vehicle in those areas designated in Schedule D where such areas are designated no parking at any time or in those areas where parking is prohibited for a specific time.

§ 14-159 Fire lanes. [*old § 14-158*]

In order to regulate properly the movement of traffic in the City and to facilitate the rapid and unobstructed passage of fire apparatus, certain streets and drives are hereby established as fire lanes, as designated in Schedule E of this chapter, and, when so marked with appropriate signs, parking is hereby prohibited in the places designated in Schedule E.

§ 14-160 Parking after snowfall. [*old § 14-159*]

(a) Whenever there has been an accumulation of snow of one inch or more, or ice or freezing rain, within the City, parking on any street for which the City provides snow removal operations, shall be limited to one side of the street only, until snow removal operations are complete and the weather emergency has ended. The side of the street on which parking shall be allowed is determined as follows: During the winters which begin in even-numbered years, parking shall be limited to the side of the street immediately adjacent to the even-numbered addresses and during winters which begin in odd-numbered years, parking shall be limited to the side of the street immediately adjacent to the odd-numbered addresses. For those streets on which parking is already restricted on one side, this section will not apply and parking during snow, ice or freezing rain shall be limited to the side of the street that is not restricted.

(b) Any person who shall violate any provision of this section shall, upon conviction, be subject to the penalties provided for violation of City ordinances.

§ 14-161 Parking commercial vehicles [*old § 14-159*]

Drivers of buses and commercial vehicles are prohibited from parking or stopping for more than one hour on the streets of the City except when actually being used or engaged in the transaction of business. In any case for good, valid, and sufficient reasons, other than mere convenience or accommodation for stopping such a vehicle in such place for more than one hour, the driver shall apply to the Chief of Police for a permit, which shall be issued without cost, authorizing the vehicle to stop or park for a period of more than one hour.

§ 14-162 Parking in private yards [*old § 14-161*]

(a) The Board of Aldermen hereby finds and determines that the indiscriminate parking and stopping of motor vehicles on lawns of residences, and between the curb and sidewalk and on sidewalks, adversely affects the appearance of neighborhoods to the extent of decreasing property values; decreases the desirability of locating businesses in the City; creates problems for fire apparatus in emergencies and requires regulation by the City for maintaining the peace and good government and welfare of the City and its trade and commerce.

(b) No automobiles, motorcycles, motor-tricycles, motorized bicycles, trucks, trailers or other motor vehicles shall be parked or stopped between the curb and the front façade of any residential or other building, or in the side yard next to the street in case of corner lots, except on a parking area, as defined in Section 26-5 of this code, having a durable surface conforming to the requirements of Sections 7-11(b) and 26-27(a) of this code, and any

other applicable ordinances of this City for parking and driveway, except as provided in subsection (c); and no automobile, motorcycle, motor-tricycle, motorized bicycle, trucks, trailers or other motor vehicles shall be parked or stopped along any street with any portion of the vehicle on the area between curb and sidewalk nor on sidewalks.

(c) In cases of emergency or hardship on the owner or occupant of residential property, said owner or occupant may make application to the police chief for a permit, that it be granted because of an emergency situation or to prevent a hardship. The police chief shall issue said permit for a period of not longer than 30 days, and upon such terms and conditions as may be proper under the circumstances.

§ 14-163 Derelict vehicle [*old § 16-29*]

(a) Definitions. The following definitions shall apply in the interpretation and enforcement of this section:

PROPERTY

Any real property within the City which is not a street or highway.

STREET or HIGHWAY

The entire width between the boundary lines of every way publicly maintained where any part thereof is open to the use of the public for the purposes of vehicular traffic and shall include for the purpose of this section public walkways and sidewalks.

VEHICLE

A machine propelled by power, other than human power, designed to travel along the ground by use of wheels, treads, runners or slides, and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy and wagon.

(b) Abandonment of vehicles. No person shall abandon any vehicle within the City, and no person shall leave any vehicle at any place within the City for such time, and under such circumstances, as to cause such vehicle to appear abandoned. A failure to have any vehicle properly licensed by the state, with the license properly displayed, shall be conclusive evidence of abandonment.

The parking of any vehicle on any City street continuously for a period of seven days or more shall be prima facie evidence of abandonment. The Police Department shall give notice to the owner of any such abandoned vehicle, by placing said notice on the vehicle, that the vehicle must be moved within 24 hours. If after the expiration of said 24 hours the vehicle has not been moved, the owner shall be deemed guilty of an offense and upon conviction shall be punished as provided for in § 1-6 of this Code.

(c) Leaving wrecked or nonoperating vehicle in street. No person shall leave any partially dismantled, nonoperating, wrecked, inoperable or junked vehicle on any street or highway within the City.

(d) Disposition of wrecked or discarded vehicles. No person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperating, wrecked, junked, inoperable or discarded vehicle to remain on such property. Such vehicles may be removed or towed in the manner

provided by Section 7-38 of this Code. This section shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful manner when necessary to the operation of such business enterprise or a vehicle when in an appropriate storage place or depository maintained in a lawful place and manner by the City.

(e) Impounding vehicles. The Chief of Police, or any member of his department designated by him, is hereby authorized to remove, or have removed any vehicle left at any street or public place within the City in violation of this Section, in the manner provided by Sections 304.155 through 304.159, RSMo.

(f) Violations. Any person violating any of the provisions of this section, notwithstanding any other remedy for such violation herein provided, such as the impounding of vehicles or any other remedies, shall be deemed guilty of an offense.

(g) Conflict resolved. Nothing in this section shall be construed to conflict with or repeal any provisions of any applicable Zoning Ordinance or other code or regulation of the City prohibiting the abandonment of vehicles or the storage or maintenance of partially dismantled, nonoperating, wrecked, inoperable or junked vehicles on any property within the City.

§ 14-164 Improper use of parking lots [*old § 14-165*]

(a) It shall be unlawful for any person or persons to park or leave unattended any vehicle or vehicles on any commercial, industrial, or public parking lot within the City, unless such vehicle or vehicles are so parked or left unattended within spaces properly designated for the parking of vehicles.

(b) This section shall not apply to commercial trucks or vehicles while loading or unloading goods, wares or merchandise to establishments or institutions served by the particular parking lot.

§ 14-165 Parking prohibited on streets undergoing repair [*old § 14-166*]

(a) Parking is prohibited on any street on which street repairs or improvements are being made during the period that such work is being performed.

(b) Reasonable prior notice shall be given by the Department of Public Works to the residents along a street where street repairs or improvements are being made. The term, reasonable prior notice, shall include a letter or other written notice delivered to each home, not less than 48 hours prior to the commencement of such work. Such notice shall inform the residents as to the anticipated time when street repairs or improvements will commence on such street, that no parking on such street is permitted while such work is in process, that failure to comply with such no parking restriction shall authorize City personnel to cause said vehicle to be towed, that such failure is a violation of this section and that a violation shall subject the resident to the penalties provided by this section.

(c) Signs shall be posted at each end of a street on which repairs or improvements are being made that parking is prohibited.

(d) In the event that vehicles are parked on the street during the period that repairs or improvements are being made, City personnel are hereby authorized to cause any such vehicle to be removed from such street and towed. Notice shall be given to the owner of

such vehicle, as prescribed by state law that the vehicle has been removed and towed and the location to which the vehicle has been towed and that the owner of such vehicle may reclaim it upon proof of ownership and payment of all reasonable charges for the towing and storage of such vehicle.

(e) In addition, any person violating the no parking restriction shall, upon conviction thereof, be subject to the penalties provided for violation of a City ordinance.

§ 14-166 Permit parking district [*old § 14-167*]

(a) Definitions. For the purpose of this section, the following words and phrases shall have the following meanings:

PERMIT PARKING DISTRICT

A residential district in which parking is prohibited except in accordance with this section.

RESIDENTIAL DISTRICT

An area within 1,000 feet of any existing or future section(s) of the recreational trail known as "Grant's Trail" as delineated by the Director of Public Works.

VISITOR

A person who stays temporarily at a residence but is domiciled elsewhere outside the residential district.

(b) Parking in permit parking districts. Whenever the Board of Aldermen, of its own initiative or upon a petition signed by at least 30% of the property owners on a block within the residential district as determined by the Director of Public Works, shall determine that the street(s) of a particular block of the residential district is/are being used for parking by the operators of motor vehicles who are nonresidents of the residential district, the Board of Aldermen may by ordinance prohibit parking in a particular area within the residential district (the "permit parking district") during hours specified by the Board. In such cases, the Board of Aldermen shall cause appropriate signs, which give notice of the prohibition, to be posted on those streets restricting all parking, except parking by holders of permits granted under the following conditions:

(1) There may be issued one color-coded permit for each vehicle belonging to a resident owner who resides in the permit parking district.

(2) Each residence within a permit parking district shall be issued two visitors permits. Such permits shall be limited to that particular permit parking district for a stated period not to exceed one year. One additional permit for visitors to a particular residence within a permit parking district may be issued for a stated period but not more than 30 days.

Permits shall be color-coded to identify the permit parking district in which they shall be valid for parking. Each permit parking district shall be assigned a different color or series of colors for permits issued under this section for the purpose of identifying the districts in which such permits apply.

(c) Exceptions.

(1) The parking prohibitions contained herein shall not apply to service or delivery vehicles which are being used to provide services or make deliveries in a permit parking district.

(2) A petition requesting the exception of a particular block within the residential district subject to the provisions herein, signed by more than 50% of the residents of that block, will authorize the City Administrator to except that particular block from the restricted parking regulations set forth herein.

(d) Issuance of permits to residents.

(1) After the Board of Aldermen adopts an ordinance designating a permit parking district, the City Clerk shall issue parking permits to the residents of that district. This issuance shall take place upon proof of the applicant's residence.

(2) Whenever a person is no longer a resident of Crestwood, the person holding such a permit issued under this section shall surrender it to the City Clerk or his or her authorized representative. No permit issued hereunder shall be valid for more than one year, but may be renewed upon its expiration, provided that the conditions for the eligibility continue to exist.

(3) It shall be unlawful for any person to represent that he or she is entitled to such a permit when he or she is not so entitled or to fail to surrender a permit to which he or she is no longer entitled. It shall also be unlawful for any person to park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it.

(e) Issuance of permits to visitors. On the application of any resident of the permit parking district, the City Clerk or his or her authorized representative shall issue two visitor permits limited to a particular residence in the particular permit parking district. These visitor permits shall be for a period of no more than one year. One additional visitor permit may be issued to a particular residence within such permit parking district and shall be limited to a period of no more than 30 days. Notification of all visitor permits issued shall be provided to the Chief of Police.

(f) Special events parking. The City Administrator may waive the enforcement of the residential permit parking system in any permit parking district for the purpose of providing parking for special events. Normally this waiver will be valid for one day only, but in no event for more than three consecutive days.

(g) Parking signs. Following the adoption of the ordinance designating an area a permit parking district, the Public Works Director shall cause parking signs to be posted in the district indicating the parking restrictions. It shall be unlawful thereafter to park in these districts without a permit.

(h) Changing permit parking district boundaries. Following the designation of a permit parking district, the Board of Aldermen, upon receipt of a petition signed by more than 50% of the residents of a block contiguous to the district may by ordinance alter the boundaries of the district to include it within any such block.

(i) Penalties. Any person who shall violate any provision of this section shall, upon conviction, be subject to the penalties provided for violation of City ordinances.

§ 14-167 Recreational vehicle parking [*old § 14-175*]

(a) Definitions. The following definitions apply to this section:

BOAT

Any object that has the intended use of transporting people on water. This shall include, but is not limited to, houseboats, speedboats, fishing boats, canoes, paddleboats, personal watercraft, and yachts.

MOTORIZED CONSTRUCTION EQUIPMENT

Any device that has the intended use of moving dirt, materials and/or completing other construction activities. This includes, but is not limited to, skid loaders, backhoes, and bulldozers.

RECREATIONAL VEHICLE, (RV)

A vehicle structure without permanent foundation, which can be driven or towed and is primarily designed and constructed to permit occupancy for use as a temporary dwelling or sleeping quarters for one or more persons for recreational, camping or travel purposes.

TRAILER

Any object without motor power designed for carrying property on its own structure and for being drawn by a self-propelled vehicle.

VEHICLE ACCESSORIES

Items which can be attached to a vehicle to be used for storing or transporting objects. This includes, but is not limited to, campers, camper shells, luggage racks, and sports equipment racks.

(b) Restrictions:

(1) RVs, trailers, and boats must be stored in an enclosed area or on an asphalt, concrete or paving stone surface in the side or rear yard behind the front building line. In the case of a corner lot, the side yard will also be considered a front yard.

(2) Vehicle accessories must be stored in an enclosed area or attached to a licensed vehicle in the manner for which they are intended to be used.

(3) Motorized construction equipment must be stored in an enclosed area.

(4) A resident owner or lessee is allowed to park a licensed RV on a residential street for purposes of loading and unloading only, but not to exceed 48 hours at a given time. Visitors of residents are allowed to park a licensed RV on a residential street or in a driveway for up to seven days in a calendar year, with an RV parking permit issued by the Police Department.

(5) Parking of trailers, boats, motorized construction equipment, and vehicle accessories is not allowed on residential streets. Trailers and boats on trailers may be parked on a residential street for a period not to exceed 72 hours if the trailer is attached to a licensed vehicle. Visitors of residents are allowed to park trailers and boats on trailers, if attached to a licensed vehicle, on a residential street or in a driveway for up to seven days in a calendar year, with a parking permit issued by the Police Department.

(6) The foregoing notwithstanding, RV's, trailers, and boats may be parked in the front driveway by a resident owner or lessee, for purposes of loading and unloading only, but not to exceed 72 hours at any given time.

(c) Applicability to current RV, boat, and trailer owners. City of Crestwood resident owners or lessees who are RV, boat, or trailer owners at the time this section becomes effective [November 17, 2003], will not be subject to the restrictions set forth in subsection (b)(1), so long as said RV, boat or trailer owner registers the RV, boat, or trailer with the City Clerk on or before December 31, 2003. This exemption also applies to any resident owner or lessee, with a properly registered RV, boat, or trailer hereunder, who acquires a new or replacement RV, boat, or trailer, provided the new or replacement RV, boat or trailer is of the same kind, and general size and character.

(d) Penalties. Any person who shall violate any provision of this section shall, upon conviction, be subject to the penalties provided for violation of City ordinances.

§ 14-168 Parking within Parks [*old § 17-10*]

(a) The parking of vehicles on grassy areas of any park is not permitted. No person shall park a vehicle in any area or on any portion of the roadway located within a park where signs have been posted designating such area or portion of said roadway as a no parking zone. Vehicles must park only in areas designated for such use.

(b) Any vehicle parked within the boundaries of a City of Crestwood Park in violation of any section of Chapter 17 – Parks and Recreation, or in violation of any section of this Chapter, is subject to towing by a police officer, at the owner's expense.

§ 14-169 Vehicles at night [*old § 17-11*]

It shall be unlawful for any person to leave, park or stop a motor vehicle within any Crestwood park after the designated closing time unless specifically authorized by the City.

§ 14-170 Use of designated disabled parking spaces

(a) Designated disabled parking spaces may only be used when a disabled person, who has been issued disabled license plates or windshield hanging placards pursuant to the provisions of section 301.142 RSMo. or by those states with which the director has entered into reciprocity agreements as provided in section 301.142 RSMo., is then, or immediately preceding being parked, was an occupant of the motor vehicle bearing the disabled license plate or windshield hanging placard or in cases where the motor vehicle bearing the disabled license plate or windshield hanging placard is then being used to deliver or collect one or more of the disabled persons for whom the disabled license plate or windshield hanging placard was issued.

(b) The driver, or any occupant, of a motor vehicle bearing disabled license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space shall, upon request from any law enforcement officer or other duly constituted peace officer upon identification as such, produce the disabled registration certificate issued to the disabled person or entity as provided for in section 301.142 RSMo. or such other authorization to show that the driver or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space. The driver or any occupant of the motor vehicle shall, in addition to the certificate, produce other

identification with a photograph of the disabled person for whom the disabled plates or windshield hanging placard was issued.

(c) If the driver, or an occupant, of a motor vehicle which is parked or has been observed to have parked in a designated disabled parking space is unable to, or cannot, produce the certificate as provided for in section 301.142 RSMo. or other proper authorization showing that the vehicle is being used or has been lawfully parking in a disabled parking space, the operator is guilty of a class A misdemeanor. However, no person shall be found guilty of violating this section if the operator produces such a certificate to the court that was valid at the time of the citation for a person who was using the vehicle.

(d) The windshield hanging placard shall only be used when the vehicle is parked in a disabled parking space. It shall be unlawful for any person to operate or drive a motor vehicle with a windshield hanging placard hanging from the inside rearview mirror.

§ 14-171 Parking at electric vehicle charging station

(a) Whenever authorized signs are erected designating an area for public electric vehicle charging in accordance with Section 26-79 of this Code, no person shall stop a vehicle within that marked area unless that vehicle is an electric vehicle and connected to an electric vehicle charging station. No person shall stop a vehicle within an area designated as a private electric vehicle charging station without the expressed permission of the operator of the private electric vehicle charging station and/or the owner of the property on which the private electric charging station is located.

(b) It shall be unlawful for any person to cause or allow any vehicle registered in his name or that is under his control that is not an electric vehicle connected to an electric vehicle charging station, to be parked or standing in a space that is designated as an area for public electric vehicle parking or charging.

(c) The provisions of this section may be enforced on property that is not public property only when the owner or other person in possession or control of the property has requested enforcement of these provisions of this section.