

## **Chapter 10.04 – DEFINITIONS <sup>1</sup>**

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### **10.40.010 Definitions generally.**

The following words and phrases when used in this title shall have the meanings respectively ascribed to them. (Prior code §10-2-1(part)).

**10.04.020 Alley.**

"*Alley*" means that thoroughfare which intersects blocks of the municipality at the rear of lots of said blocks or transverses blocks between regularly established streets. (Prior code §10-2-1(part)).

**10.04.030 Authorized emergency vehicle.**

"*Authorized emergency vehicle*" means vehicles of the fire department, police vehicles and such ambulances and emergency vehicles as are designated or authorized by the commissioner of law enforcement or the chief of police. (Prior code §10-2-1(part)).

**10.04.040 Bicycle.**

"*Bicycle*" means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over twenty inches in diameter. (Prior code §10-2-1(part))

**10.04.050 Business district.**

"*Business district*" means the territory contiguous to and including a public thoroughfare when within one hundred and fifty feet there are buildings in use for business or industrial purposes including but not limited to hotels, banks or office buildings. (Prior code §10-2-1(part))

**10.04.060 Controlled-access highway.**

"*Controlled-access highway*" means every highway, street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the police authority having jurisdiction over such highway, street or roadway. (Prior code §10-2-1(part)).

**10.04.070 Crosswalk.**

"*Crosswalk*" means and includes:

- A. That part of a roadway at an intersection included within the connections of the laterals of the sidewalk on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadways;
- B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface. (Prior code §10-2-1(part)).

**10.04.080 Curb loading zone.**

"*Curb loading zone*" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials. (Prior code §10-2-1(part))

**10.04.090 Curb loading zone, freight.**

"*Freight curb loading zone*" means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight. (Prior code §10-2-1(part)).

**10.04.100 Curb loading zone, passenger.**

"*Passenger curb loading zone*" means a place adjacent to a curb reserved for the exclusive use of vehicles during loading or unloading of passengers. (Prior code §10-2-1 (part))

**10.04.110 Driver.**

"*Driver*" means every person who drives or is in actual physical control of a vehicle. (Prior code §10-2-1(part)).

**10.04.120 Intersection.**

"*Intersection*" includes the following:

- A. The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadway of the two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict;
- B. Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highway shall be regarded as a separate intersection. (Prior code §10-2-1(part))

**10.04.130 Motorcycle.**

"*Motorcycle*" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor. (Prior code §10-2-1(part))

**10.04.140 Official time standard.**

"*Official time standard*" whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in the municipality. (Prior code §10-2-1(part))

**10.04.150 Park.**

"*Park*," when prohibited, means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading. (Prior code §10-2-1 (part)).

**10.04.160 Pedestrian.**

"*Pedestrian*" means any person afoot. (Prior code §10-2-1(part)).

**10.04.170 Police officer.**

"*Police officer*" means every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violation of traffic regulations. (Prior code §10-2-1(part))

**10.04.180 Private road or driveway.**

"*Private road or driveway*" means every way or place in private ownership and used for vehicular travel by the owner and those having expressed or implied permission from the owner but not by other persons. (Prior code §10-2-1(part))

**10.04.190 Railroad.**

"*Railroad*" means a carrier of persons or property operated upon stationary rails. (Prior code §10-2-1(part)).

**10.04.200 Railroad train.**

"*Railroad train*" means a steam engine, electric or other motor, with or without cars coupled thereto operated upon rails. (Prior code §10-2-1 (part)).

**10.04.210 Residence district.**

"*Residence district*" means the territory contiguous to and including a public thoroughfare not comprising a business district when the property on such thoroughfare for a distance of one hundred and fifty feet or more is in the main improved with residences or residences and buildings. (Prior code §10-2-1(part)).

**10.04.220 Right-of-way.**

"*Right-of-way*" means the privilege of the immediate use of the public thoroughfare. (Prior code §10-2-1(part))

**10.04.230 Roadway.**

"*Roadway*" means that portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the beam or shoulder. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively. (Prior code §10-2-1(part))

**10.04.240 Roadway, laned.**

“*Laned roadway*” means a roadway which is divided into two or more clearly marked lanes for vehicular traffic. (Prior code §10-2-1(part)).

**10.04.250 Safety zone.**

"*Safety zone*" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. (Prior code §10-2-1 (part)).

**10.04.260 Sidewalk.**

"*Sidewalk*" means that portion of a street between the curb line or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians. (Prior code §10-2-1 (part))

**10.04.270 Street or highway.**

"*Street or highway*" means the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for the purpose of vehicular travel. (Prior code §10-2-1(part)).

**10.04.280 Stop.**

"*Stop*" means complete cessation of movement. (Prior code §10-2-1(part))

**10.04.290 Stop, stopping or standing.**

“*Stop, stopping or standing,*” when prohibited, means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal. (Prior code §10-2-1(part)).

**10.04.300 Through highway.**

"*Through highway*" means every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing, provided that proper signs are erected as provided in this act. (Prior code §10-2-1 (part)).

**10.04.310 Traffic.**

"*Traffic*" means pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any public thoroughfare for purposes of travel. (Prior code §10-2-1 (part)).

**10.04.320 Traffic control devices, official.**

"*Official traffic control devices*" means all signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic. (Prior code §10-2-1(part)).

**10.04.330 Traffic control signals.**

"*Traffic control signals*" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed. (Prior code §10-2-1(part))

**10.04.340 Traffic division.**

"*Traffic division*" means the traffic division of the police department or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department. (Prior code §10-2-1(part))

**10.04.350 Vehicle.**

"*Vehicle*" means every device, in, upon or by which any person or property is or may be transported or drawn upon a thoroughfare, except devices moved by human power or used exclusively upon stationary tracks or rails. (Prior code §10-2-1(part))

**10.04.360 Vehicle, commercial.**

"*Commercial vehicle*" means every vehicle designed, maintained or used primarily for the transportation of property. (Prior code §10-2-1 (part)).

**10.04.370 Vehicle, motor.**

"*Motor vehicle*" means every vehicle which is self-propelled and every vehicle, which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. (Prior code §10-2-1(part))