

**Title 10**

**VEHICLES AND TRAFFIC**

**Chapters:**

**10.10 Traffic Regulations**

**10.15 Traffic Enforcement on Public Property**

**10.20 Inventory of Impounded Vehicles**



**Chapter 10.10****TRAFFIC REGULATIONS**

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**10.10.010 Short title.**

This chapter may be cited as the “Philomath uniform traffic ordinance.” [Ord. 544 § 1, 1987.]

**10.10.020 Applicability of state traffic laws.**

A. Adoption of Oregon Vehicle Code. Oregon Revised Statutes, Chapters 801 through 822, as constituted on January 2, 2006, are adopted by reference. Violation of an adopted provision of those chapters is an offense against the city of Philomath.

B. Adoption of Procedural Statutes. The procedures applicable to the prosecution of traffic offenses as contained in the Oregon Revised Statutes, as constituted on January 2, 2006, including the procedures set forth in Chapter 153 of the Oregon Revised Statutes, are by this reference adopted in full and made a part of this chapter.

C. Continuity Between References. A reference in any ordinance, resolution or regulation of the city of Philomath to any Oregon Revised Statute repealed on January 1, 1984, by Oregon Laws 1983, Chapter 338, Section 978, is deemed to be a reference to the corresponding section of Chapter 338, Oregon Laws 1983, as amended by Chapter 16, Oregon Laws 1985, which is codified in the Oregon Vehicle Code, ORS Chapters 801 through 822. [Ord. 736 § 2, 2006; Ord. 694 § 3, 2000; Ord. 647, 1996; Ord. 603 § 1, 1991; Ord. 587 § 1, 1991; Ord. 544 § 2, 1987.]

**10.10.030 Definitions.**

In addition to those definitions contained in the Oregon Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

“Bus stop” means a space on the edge of a road designated by sign for use by buses loading or unloading passengers.

“Loading zone” means a space on the edge of a road designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified days.

“Person” means a natural person, firm, partnership, association, or corporation.

Street. The terms “highway,” “road,” and “street” shall be considered synonymous, unless the context precludes such construction. “Street” includes alleys and all of the area within the public right-of-way.

“Taxicab stand” means a space on the edge of a road designated by sign for use by taxicabs.

“Traffic lane” means that area of the road used for the movement of a single line of traffic. [Ord. 544 § 3, 1987.]

**10.10.040 Administration.**

## A. Powers of the Council.

1. Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated by this chapter or another ordinance.

2. The powers of the council, which may be exercised by resolution, include, but are not limited to:

- a. Designation of through streets.
- b. Designation of one-way streets.
- c. Designation of truck routes.
- d. Designation of parking meter zones.
- e. Designation of certain streets as bridle paths and prohibition of horses and animals on other streets, parks or property.
- f. Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law.
- g. Initiation of proceedings to change speed zones.
- h. Establishment and revision of speed limits and traffic regulations in parks.
- i. Temporary blocking or closing of streets.

j. Establishment of bicycle lanes and paths and traffic controls for such facilities.

k. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage.

l. Authorize issuance of oversize or overweight vehicle permits.

m. Establishment, maintenance, removal, or alteration of the following classes of traffic controls:

i. Crosswalks, safety zones, and traffic lanes.

ii. Intersection channelization and areas where drivers of vehicles shall not make right, left, or U-turns, and the time when the prohibition applies.

iii. Truck parking areas, parking for disabled persons, parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal).

iv. Loading zones and stops for vehicles.

v. Traffic control signals.

B. Implementation of Regulations. The city manager shall direct the implementation of the ordinances, resolutions and motions of the council by having traffic control devices installed, maintained, removed, and altered. The installation shall be based on the standards contained in the state manual specified under ORS 810.200.

C. Public Danger. Under conditions constituting a danger to the public, the police chief or his or her designee may install temporary traffic control devices.

D. Standards. The regulations of the manager or his or her designee shall be based on:

1. Traffic engineering principles and traffic investigations.

2. Standards, limitations, and rules promulgated by the Oregon Transportation Commission.

3. Other recognized traffic control standards.

E. Authority of Police and Fire Officers.

1. It is the duty of police officers to enforce the provisions of this chapter.

2. In the event of a fire, parade accident or other emergency, officers of the police and fire departments may stop, detour or direct traffic as conditions require, notwithstanding the provisions of this chapter. [Ord. 544 § 4, 1987.]

### **10.10.050 General regulations.**

A. Crossing Private Property. No operator of a motor vehicle shall proceed from one street to an intersecting street by crossing private property or premises open to the public. This provision does not apply to the operator of a motor vehicle who stops on the property to procure or provide goods or services.

B. Vehicles in Park. All motor vehicles within the city park must remain upon the city streets or parking areas while in the park.

C. Unlawful Riding.

1. No operator of a motor vehicle shall permit a passenger to, and no passenger shall, ride on a motor vehicle on premises open to the public except on a portion of the vehicle designed or intended for the use of passengers. This provision does not apply to an employee engaged in the necessary discharge of a duty or to a person riding within a truck body in space intended for merchandise.

2. No person shall board or alight from a motor vehicle while the vehicle is in motion on premises open to the public.

D. Roller Skates, Sleds, Etc.

1. No person upon roller skates or riding in or by means of a coaster, skateboard, toy vehicle or similar device shall use the streets except while crossing at a crosswalk, or in an authorized area.

2. No person shall use the streets for traveling on skis, toboggans, sleds, or similar devices, except where authorized, or when the street has been designated a play street.

E. Damaging Sidewalks and Curbs.

1. The operator of a motor vehicle shall not drive on a sidewalk or roadside planting strip except to cross at a permanent or temporary driveway.

2. No unauthorized person shall place dirt, wood or other material in the gutter or space next to the curb of a street with the intention of using it as a driveway.

3. No person shall remove a portion of a curb or move a motor vehicle or a device moved by a motor vehicle onto a curb or sidewalk without first obtaining authorization from the city and posting bond if required. A person who causes damage shall be responsible for the cost of repair.

F. Play Streets. No person shall drive a vehicle upon a street during the hours when it has been des-

ignated, by the city manager or his designee, and is being used as a play street, except drivers having business on such street or whose residences are along such street, and then such driver shall yield the right-of-way to persons using the street as a play street.

G. Storage of Vehicles or Personal Property on Public Property.

1. No person shall store or permit to be stored on a public right-of-way or other public property, without permission of the chief of police or designee, a recreational vehicle, boat, travel trailer, utility trailer, camper or any other personal property for a period in excess of 72 hours. Failure to remove such vehicle or property from the street or public property within a period of 72 hours constitutes prima facie evidence of a violation of this section, to wit: Storage of personal property on public property.

2. No person shall store or permit to be stored on a public right-of-way or other public property, without permission of the chief of police or designee, an operable motor vehicle, other than those specified in subsection (G)(1) of this section, for a period in excess of 120 hours. Failure to remove such a motor vehicle from public property within a period of 120 hours constitutes prima facie evidence of a violation of this section, to wit: Storage of a motor vehicle on public property.

3. No person shall store or permit to be stored on a public right-of-way or other public property, without permission of the chief of police or designee, an inoperable motor vehicle for a period in excess of 24 hours. Failure to remove such a motor vehicle from public property within a period of 24 hours constitutes prima facie evidence of a violation of this section, to wit: Storage of an inoperable motor vehicle on public property.

4. It is the intent of the city council to prohibit long-term storage of vehicles and personal property on city streets, alleys, rights-of-way or other public property. Moving a vehicle or personal property from place to place on public ways or property does not constitute compliance with subsection (G)(1), (G)(2) or (G)(3) of this section.

5. The decision of the chief of police or designee granting or denying permission as specified above may be appealed by filing a written request of appeal with the city recorder.

6. The city council shall schedule a hearing date, which shall not be later than the next regular council meeting following the filing of the written appeal with the city recorder, and shall notify the appellant of the date and time so that the appellant may appear either in person or by a representative.

7. Unless and until the city council rescinds the police chief's denial of a storage permit, failure to comply with any part of this section shall constitute prima facie evidence of a violation.

8. When a police officer finds a vehicle or property in violation of this section, a written warning may be issued to the registered owner or other person responsible for the vehicle or property, and/or a notice of intent to impound, allowing a reasonable period for the person to comply with this section. Failure of the person to comply within the time allowed shall result in the issuance of a citation as required by PMC 10.10.090(A).

9. A vehicle or property which violates this section may be towed/removed at the owner's expense after notifications have been made as required by Oregon State Statutes.

10. In addition to paying any expenses incurred by the city in connection with the impoundment and/or storage of a vehicle or property which violates this section, a person found guilty of violating subsection (G)(1) or (G)(2) of this section shall be fined a minimum of \$100.00, and a person found guilty of violating subsection (G)(3) of this section shall be fined a minimum of \$150.00.

H. Obstructing Public Ways.

1. Except as authorized by ordinance of the city and in a manner prescribed by the city, no person shall obstruct the free movement of vehicles or pedestrians using the street, sidewalks or other public ways.

2. No person shall park or stand a vehicle in such a manner or location that it impedes traffic or obstructs the view or constitutes a hazard to public safety or an obstruction on a street, sidewalk or other public way.

I. Motor Truck Traffic Prohibited.

1. Except as provided in subsection (I)(2) of this section, no person shall operate any motor truck upon any public street or alley within the city unless such street or alley has been designated as a truck route by resolution of the city council.

2. Motor trucks being operated on public streets for the following specific purposes are exempt from the restriction imposed by subsection (I)(1) of this section when:

- a. Picking up or discharging goods or services at any business establishment, public building or residence in the city;
- b. Going to or from a business in the city to obtain fuel, service, or repair for the truck;
- c. Servicing utility facilities or construction sites in the city;
- d. Being used for the repair and maintenance of public streets, public utilities or public facilities;
- e. Traveling to or from the driver's residence; provided, a parking permit has been obtained pursuant to PMC 10.10.060(A);
- f. Traveling to or from an area designated by the city for truck parking; or
- g. Traveling to or from private property used for truck parking.

3. The exemptions listed in subsection (I)(2) of this section do not allow drivers or passengers of trucks to attend to personal business in violation of subsection (I)(1) of this section.

4. Motor trucks which are exempt from the provisions of subsection (I)(1) of this section shall use the most direct route in traveling to and from their destination. The exemptions listed above do not allow drivers or passengers of trucks to attend to personal business in violation of subsection (I)(1) of this section.

5. For purposes of subsection (I) of this section and PMC 10.10.060(A), "motor truck" means a motor vehicle or combination of vehicles that are primarily designed or used for carrying loads other than passengers and having a gross weight in excess of 8,000 pounds, excluding emergency vehicles, government-owned vehicles and city-franchised vehicles.

6. If it is determined the public interest will not be harmed, the police chief, or other city official designated by council, may issue a temporary written permit, upon such conditions as the police chief deems reasonable, allowing any truck to move over any portion of a street closed to truck traffic. [Ord. 657 §§ 1, 2, 1997; Ord. 574 § 15, 1989; Ord. 544 § 5, 1987.]

### **10.10.060 Parking regulations.**

#### **A. Motor Truck Parking Permit.**

1. No person shall park a motor truck, truck tractor, or truck trailer on a street that has not been approved by the city council as a designated truck parking location between the hours of 9:00 p.m. and 7:00 a.m. of the following day. An exception to these restricted times may be granted to the holder of a motor truck residential parking permit. A motor truck residential parking permit may be obtained to allow the owner/operator of a motor truck to park their motor truck at their residence.

2. Application for a new or renewal motor truck residential parking permit shall be made on forms provided by the police department and shall be accompanied by:

- a. Written consents of the occupants of all of the properties adjacent to the property of the applicant; and
- b. Written consents of the occupants of at least a simple majority of the other properties located within a distance of 300 feet in any direction from the external boundaries of the applicant's property.

3. As used in subsection (A)(2) of this section, "adjacent" shall mean the properties have at least one foot of common property line, or would, if not separated by a street right-of-way.

4. Approval of the permit shall be conditioned upon the following:

- a. A change in occupancy of any property from which consent was obtained under the application shall not require the submittal of a new consent.

- b. Applicant shall be responsible for compliance with all local ordinances, including, but not limited to, noise, noxious fumes and home occupations. Failure to comply with any such ordinance or with the provisions of PMC 10.10.050(I) and subsection (A) of this section shall be grounds for termination of the permit. In addition, the city may revoke the permit for any reason upon 30 days' written notice to the permit holder.

- c. Permits shall be issued for periods of one year upon payment of a fee in the amount set by council resolution.

- d. The permit shall automatically terminate at such time as the applicant terminates residence at the address stated in the permit.

e. Applicant shall use the most direct route available to move to and from the location granted within the permit to an established truck route.

f. No permit will be granted to an applicant who has had a motor truck residential parking permit revoked within 90 days prior to the date of the application for the permit.

g. The permit shall apply only to unloaded motor trucks or truck tractors and does not authorize the parking of such vehicles when loaded.

h. Upon receipt of a complaint concerning noise, the police department shall mail written notice to the permit holder within 10 days. If a subsequent complaint is received after the date of the notice, the permit shall be immediately revoked.

i. The applicant shall maintain in the applicant's possession a valid residential parking permit at all times within any truck or vehicle parked as provided for herein or in coming to or going from the residence, and shall display a sticker provided by the city on the driver's side front bumper.

5. An applicant or permit holder may appeal a decision refusing to grant a permit or the revocation of a permit by filing a written request of appeal with the city manager within five days after notice of the decision is mailed to the applicant or permit holder. The city manager or designee shall then hold a hearing within 10 days after receipt of the request for appeal.

#### B. Method of Parking.

1. No person shall stand or park a vehicle other than in the direction of traffic flow of the nearest lane, and where parking spaces are designated on a street, vehicles must be parked within a single marked space, unless the size or shape of the vehicle makes compliance impossible within a single marked space.

2. The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street has priority to park in that space, and no other vehicle operator shall attempt to interfere.

3. When the operator of a vehicle discovers that the vehicle is parked close to a building to which the fire department has been summoned, the operator shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers.

#### C. Prohibited Parking or Standing.

1. No person shall park or stand a vehicle in violation of state motor vehicle laws or in violation of a lawfully erected parking limitation sign or marking.

2. No person shall park or stand a vehicle in an alley other than for the expeditious loading or unloading of persons or materials, and in no case for a period in excess of 15 consecutive minutes.

3. No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

a. Displaying the vehicle for sale.

b. Repairing or servicing the vehicle, except repairs necessitated by an emergency.

c. Displaying advertising from the vehicle.

d. Selling merchandise from the vehicle.

4. No person shall park a truck trailer, when otherwise authorized to park by this ordinance, without placing wood blocking under each landing gear. Each block must be at least two inches thick, eight inches wide and six feet long.

5. No person shall park or stand a vehicle beside a curb which has been painted yellow by the city of Philomath.

6. No person shall park or stand a vehicle beside a curb which has been designated as a fire lane with red paint. Signage shall follow the Uniform Fire Code Article 9, Fire department access and water supply, Section 901.4.5.

7. Fire apparatus access roads shall meet the Uniform Fire Code for access, dimensions, surface, turn radius, dead ends and grades.

8. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances shall be maintained at all times.

D. Use of Loading Zone. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of persons or materials in a place designated as a loading zone when the hours applicable to that loading zone are in effect. When the hours applicable to the loading zone are in effect, the loading and unloading shall not exceed the time limits posted. If no time limits are posted, then the use of the zone shall not exceed 15 minutes.

E. Unattended Vehicles.

1. When a police officer finds a motor vehicle parked or standing unattended with the ignition key in the vehicle, the officer is authorized to remove the key from the vehicle and hold the key at the police station until claimed by the vehicle owner.

2. No person shall leave the ignition key within an unattended vehicle.

F. Standing or Parking of Buses and Taxicabs. The operator of a bus or taxicab shall not stop, stand, or park the vehicle on a street in a business district other than at a bus stop or taxicab stand, respectively, except that this provision shall not prevent the operator of a taxicab from temporarily stopping the taxicab outside a traffic lane while loading or unloading passengers.

G. Restricted Use of Bus and Taxicab Stands. No person shall stop, stand, or park a vehicle other than a taxicab in a taxicab stand, or a bus in a bus stop.

H. Lights on Disabled Vehicle. Any vehicle parked in the traveled portion of any street, due to an emergency, must display at least one flashing light to the front and rear of the vehicle.

I. Extension of Parking Time. Where maximum parking time limits are designated by sign, movement of a vehicle within a block shall not extend the time limits for parking.

J. Exemption. The provisions of this chapter regulating the parking or standing of vehicles shall not apply to any vehicle of the city, county, or state or public utility while necessarily in use for construction or repair work on a street, or a vehicle while in use for the collection, transportation or delivery of mail. [Ord. 748 § 1, 2008; Ord. 738 § 3, 2006; Ord. 706 § 1, 2002; Ord. 544 § 6, 1987.]

**10.10.070 Bicycles.**

A. Operating Rules. In addition to observing all other applicable provisions of this chapter and state law, a rider of a bicycle shall:

1. Not leave a bicycle, except in a bicycle rack. If no rack is provided, the person shall leave the bicycle so as not to obstruct any road, sidewalk, driveway or building entrance.

2. Not leave a bicycle in violation of the provisions relating to the parking of motor vehicles.

3. Yield the right-of-way on sidewalks to pedestrians.

B. Impounding of Bicycles.

1. No person shall leave a bicycle on private property without the consent of the owner or person in charge. Consent is implied on private business property unless bicycle parking is expressly prohibited.

2. A bicycle left unsecured on property open to the public may be impounded by the police department for safekeeping. Property open to the public includes any property open to the general public for their use, whether the property is publicly or privately owned and whether or not a fee is charged for use of the premises.

3. In addition to any citation issued, a bicycle parked in violation of this chapter may be immediately impounded by the police department.

4. If the owner of a bicycle impounded under this chapter can be readily determined, the police shall make reasonable efforts to notify the owner. No impounding fee shall be charged to the owner of a bicycle impounded pursuant to subsection (B)(2) of this section; provided, that the owner has not previously had a bicycle impounded or to the owner of a stolen bicycle which has been impounded.

5. A bicycle impounded under this chapter that remains unclaimed shall be disposed of in accordance with the city's procedures for disposal of abandoned or lost personal property.

6. Except as provided in subsection (B)(4) of this section, a fee, as set by council resolution, shall be charged to the owner of a bicycle impounded under this section.

C. Licensing.

1. A resident of the city buying or otherwise obtaining a bicycle shall obtain a license from the Philomath police department, prior to allowing the operation of or operating the bicycle upon the streets of Philomath.

2. No resident of the city shall operate upon the streets of Philomath a bicycle which does not have a current license.

3. The police department shall issue licenses and obtain the name and address of each person purchasing a license and record the make, model, and serial number (if any) of the bicycle.

4. A number shall be assigned to each bicycle licensed by the police department, and a record of the license issued shall be maintained as part of the police department records. The license shall be

affixed to the frame of the bicycle and display the name of the city and the license number.

5. The fee for a bicycle license shall be in the amount set by council resolution.

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6. All license fees collected shall be paid over to the general fund and used for educational activities concerning bicycle safety, and for bicycle licensing materials.

7. A bicycle brought into this city, by a resident of the city, whether or not the bicycle is licensed by any other governmental unit, shall be licensed in accordance with this section within 30 days, if the bicycle will be operated upon the streets of Philomath.

D. Renting of Bicycles. No person shall rent to another a bicycle not licensed in accordance with this chapter. [Ord. 740 § 1, 2006; Ord. 544 § 7, 1987.]

### **10.10.080 Parades and processions.**

A. Prohibited Activity. No person shall organize or participate in a parade or event which may disrupt or interfere with traffic without obtaining a permit and paying the fee therefor in the amount set by council resolution. A permit shall always be required of a procession of people utilizing the public right of way and consisting of 50 or more persons or 10 or more vehicles.

#### **B. Parade Permit.**

1. Application for parade permits shall be made to the chief of police at least 30 days prior to the intended date of the parade, unless the time requirement is waived by the chief.

2. Applications shall include the following information:

- a. The name and address of the person responsible for the proposed parade.
- b. The date of the proposed parade.
- c. The desired route, including assembly and dispersal points.
- d. The number of persons, vehicles and animals which will be participating in the parade.
- e. The proposed starting and ending time.
- f. The application shall be signed by the person designated as chairman, who shall be responsible for the formation and orderly procession of the parade.
- g. The application shall be accompanied by a liability insurance coverage rider.

3. If the chief of police, upon receipt of the application, determines that the parade or event can be conducted without endangering public safety and without seriously inconveniencing the general

public, the police chief shall approve the route and issue the permit.

4. The chief of police may establish traffic control needs and set fees therefor, which fees shall not exceed the actual costs incurred by the city as a result of the additional traffic control needs. A deposit, based on the police chief's estimate of the amount of costs that will be incurred by the city, shall be paid in advance of the parade. Any requests for waiver of the fee shall be submitted to the council for its consideration.

5. If the chief of police determines that the parade or event cannot be conducted without endangering public safety or seriously inconveniencing the general public, he may:

- a. Propose an alternate route.
- b. Propose an alternate date.
- c. Refuse to issue a permit.

6. The chief of police shall notify the applicant of the decision within 10 days of receipt of the application.

7. If the chief of police proposes alternatives or refuses to issue a permit, the applicant shall have the right to appeal the decision to the city council.

#### **C. Appeal to Council.**

1. An applicant may appeal the decision of the chief of police by filing a written request of appeal with the city recorder within five days after the chief of police has proposed alternatives or refused to issue a permit.

2. The council shall schedule a hearing date which shall not be later than the next regular council meeting following the filing of the written appeal with the city recorder and shall notify the applicant of the date and time so that the applicant may appear either in person or by a representative.

#### **D. Offenses Against Parade.**

1. No person shall interfere with a parade or parade participant.

2. No person shall operate a vehicle that is not part of a parade between the vehicles or persons comprising a parade.

E. Permit Revocable. The chief of police may revoke a parade permit if circumstances clearly show that the parade can no longer be conducted consistent with public safety.

#### **F. Funeral Processions.**

1. No permit shall be required for a funeral procession.

2. A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

3. All motor vehicles in the procession shall be operated with their lights turned on. [Ord. 544 § 8, 1987.]

**10.10.090 Parking citations and owner responsibility.**

A. Citation on Illegally Parked Vehicle. When a vehicle without an operator is found parked in violation of a restriction imposed by this chapter or state law, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle that may identify its owner and shall conspicuously affix to the vehicle a parking citation instructing the owner to answer to the charge or pay the penalty imposed within 10 days during specific hours and at a specific place.

B. Failure to Comply with Traffic Citation Attached to Parked Vehicle. If the operator does not respond to a traffic citation affixed to a vehicle within a period of 10 days, the municipal judge shall send to the owner of the vehicle to which the traffic citation was affixed a letter informing the owner of the violation and warning the owner that in the event that the letter is disregarded for a period of five days, a warrant for the arrest of the owner will be issued.

C. Illegal Cancellation of Traffic Citation. No person shall cancel or solicit the cancellation of a traffic citation in any manner, except when approved by the municipal judge. This provision shall not apply to a police officer or prosecutor acting within the course and scope of their authority.

D. Owner Responsibility. The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except when the use of the vehicle was secured by the operator without the owner's consent.

E. Registered Owner Presumption. In a prosecution of a vehicle owner charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that he was then the owner in fact. [Ord. 544 § 9, 1987.]

**10.10.100 Impoundment.**

A. Impoundment of Vehicles.

1. When a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended, the officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner but subsequently became an obstruction or hazard.

2. The disposition of a vehicle towed and stored under authority of this section shall be in accordance with the provisions of state law relating to impoundment and disposition of abandoned vehicles.

3. The impoundment of a vehicle will not preclude the issuance of a citation for violation of a provision of this chapter.

4. Recovered stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner. [Ord. 544 § 10, 1987.]

**10.10.110 Penalties.**

A. Violation of any provision of PMC 10.10.050 through 10.10.110 is punishable by a fine not to exceed \$250.00.

B. Violation of a provision identical to a state statute is punishable as specified by state statute. [Ord. 544 § 11, 1987.]

**10.10.120 Existing control devices and markings.**

Parking and traffic control devices and markings installed prior to the adoption of the ordinance codified in this chapter are lawfully authorized. [Ord. 544 § 12.02, 1987.]

**Chapter 10.15****TRAFFIC ENFORCEMENT ON PUBLIC  
PROPERTY**

Sections:

10.15.010 Enforcement on public property.

**10.15.010 Enforcement on public property.**

The motor vehicle laws of the state of Oregon contained in ORS Chapters 803, 807, 809, 810, 811, 814, 815, 816 and 819, together with all acts and amendments applicable to cities which are now or hereafter enacted, as well as the provisions of Chapter 10.10 PMC and amendments thereto, are hereby adopted by reference and made a part of this chapter. These motor vehicle laws shall apply to all public school properties within the city of Philomath and to all public properties owned by the city of Philomath. [Ord. 594 § 1, 1991.]

**Chapter 10.20****INVENTORY OF IMPOUNDED VEHICLES**

Sections:

10.20.010 Inventory of impounded vehicles.

**10.20.010 Inventory of impounded vehicles.**

Any peace officer who impounds a motor vehicle shall conduct an inventory of said motor vehicle as soon as practical. Inventories of impounded vehicles under this section shall be conducted according to the policies and procedures of the Philomath police department. [Ord. 634 § 1, 1995.]

