

**TITLE 8**  
**TRAFFIC**

**Section**

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*Title 8 was recodified by Ordinance 701, effective 10-7-80.*

**8-1-1. Repealed by Ordinance 730.**

**8-1-2. Definitions.** - Terms used in this Title shall be as defined in the Wyoming Uniform Act Regulating Traffic on the Highways (Section 31-5-102, Wyoming Statutes), with the following modifications:

(a)        "**Street**" or "**Highway**" shall include any alley or publicly maintained parking area.

**8-1-3. Regulations and Directives.** - The Police Department may issue such traffic and parking regulations and directives as may reasonably be necessary to prevent obstruction and congestion of the City streets and to provide for equitable use of available parking space. All such regulations and directives shall be posted, except those issued incident to heavy snowfall, parades, fires, or other unusual conditions. All vehicles shall be operated or parked in accordance with such regulations and directives.

**8-2-1. Careless Driving.** - No person shall operate a vehicle without due regard for safety of persons or property.

**8-2-2. Speeding.** - No person shall operate a vehicle in excess of 25 miles per hour on any Lander City street or in excess of the posted speed limit. No person shall drive a vehicle on Pushroot Court, within Pushroot Village, in excess of 15 mph. *(Section 8-2-2 amended by Ordinance 1097 effective May 10, 2005)*

**8-2-3. Excessive Acceleration.** -

- (a)        No person shall cause the motor of any vehicle to race unnecessarily.
- (b)        No person shall accelerate any vehicle to a degree which causes a tire to squeal, to leave marks on the pavement, or to spin against an ice-free road surface.
- (c)        No person shall accelerate any vehicle with intent of competing with another vehicle or of displaying the capability of the vehicle to any other person.

**8-3-1. Unsafe Vehicles.** - No person shall drive or move on any public highway or street any vehicle:

- a) Having defects which may endanger any person or property.
- (b) Having one or more tires with less than 1/6 inch of tread.

**8-4-1. Driving Without Valid License in Possession or While Canceled, Suspended or Revoked, Prohibited.** -

- (a) No person shall operate a motor vehicle:
  - (i) without having been issued a driver's license valid for that vehicle. No conviction shall be entered under this section if the person produces in court a license, valid, for the vehicle being operated at the time of his arrest;
  - (ii) at a time when his privilege to do so is canceled, suspended, or revoked by the Division of Motor Vehicles of the State of Wyoming, or similar agency of any other state;
  - (iii) in any manner in violation of the restrictions imposed in a restricted license issued, by the State of Wyoming or other state, to that person.

**8-4-2. Unlawful Use of License.** - No person shall:

- (a) Have in his possession a fictitious or unlawfully altered driver's license or a license issued to another.
- (b) Permit another to use or borrow his license.

**8-4-3. Permitting Unlicensed Person to Drive.** - No person shall knowingly permit a motor vehicle owned by him or under his control to be operated by a person not licensed for that class of vehicle.

**8-4-4. License Plates.** - No vehicles shall be operated on public property without currently valid license plate displayed in accordance with State law.

**8-5-1. Adoption of Uniform Act.** -

- (a) the Wyoming Uniform Act Regulating Traffic on Highways (Section 31-5-101 et. Seq. and Section 31-7-134, Wyoming Statutes, as amended), and all amendments relating thereto are adopted in full as if set forth at length, with the following exception and restrictions: (*Section 8-5-1(a) amended 2/27/01 by Ordinance 1037*)

- (i) Wyoming Statutes (1977 Republished Edition, as amended) Subsection 31-5-233(h) concerning serious bodily injury caused by driving while under the influence and Section 31-5-1201 concerning penalties are not adopted; and
- (ii) violation of any section of such act shall be punishable as provided in Section 1-2-1 hereof and not as may be provided in any section of such act.

(b) One copy of such provisions shall be kept on file in the office of the Clerk of the municipality, where it shall be available for inspection by the public during the normal office hours of the Clerk of the municipality. (*Section 8-5-1 amended by Ordinance 840, effective 12-12-89.*)

**8-6-1. Bicycles on Sidewalks.** - No person shall ride a bicycle on any sidewalk in any commercial zone. In other zones, bicyclists on sidewalks shall yield the right of way to all pedestrians.

**8-6-2. Bicycle Parking.** -

(a) Where bicycle stands are available within 100 feet, bicycles shall be parked in the stands.

(b) Bicycles shall not be parked so as to unnecessarily impede vehicular or pedestrian traffic.

**8-6-3. Registration Required.** -

(a) No person shall operate a bicycle which is used regularly or kept in the City unless the bicycle is registered with the Police Department.

(b) Registration shall be granted for any bicycle in safe condition upon application by the owner and/or the owner's parent or guardian on forms provided by the Police Department.

(c) The Police Department shall provide a numbered plate and a certificate for each registered bicycle. The numbered plate shall be displayed on the bicycle whenever it is operated.

(d) The new owner of any bicycle shall register the bicycle within five days.

(e) This section shall not apply to visitors residing in or near the City for a period of not more than 30 days.

**8-6-4. Altering, Removing Registration Plate or Manufacturer's Serial Number.** - No

person shall obscure or alter the manufacturer's serial number or the valid numbered registration plate of any bicycle belonging to another.

**8-7-1. Penalty. -**

(a) Any person who violates any provisions of this chapter, Sections 8-7-1 through 8-7-10, is guilty of a misdemeanor and upon conviction are punishable by a mandatory fine of \$50.00 for the first offense, \$100.00 for a second offense, \$150.00 for a third offense and for a fourth offense and any subsequent offense of the same section the person must appear in Court and is subject to the general penalty provisions of Section 1-2-1 of the Lander City Code. A person may post a bond for the first, second and third violations and not appear in Court. *(Section 8-7-1 (a) amended by Ordinance 1121, effective September 17, 2006)*

(b) This registered vehicle owner and the operator of the vehicle are strictly liable for any violation under this Chapter.

**8-7-2. Parking. -** All vehicles shall be parked within the space indicated on the street or, if the street is not marked for parking, so that both wheels are within 18 inches of the curb. If there is no curb, vehicles shall be parked parallel to the road and so as to leave a full 10 foot lane between the vehicle and the center of the road. All vehicles shall be parked in the direction of the traffic in the adjacent traffic line.

**8-7-3. Metered Parking. -**

(a) Where parking meters are provided, no vehicle shall be left parked adjacent to a meter except when unexpired time is indicated on the meter. This section shall not apply at such times when no payment is required as posted on the meter.

(b) No person shall insert any object into a parking meter except such coins as are specified on the meter.

**8-7-4. Painted Curbs. -** No vehicle shall be parked along a curb painted yellow or red. No vehicle shall be parked along a curb painted blue which is otherwise designated as handicapped parking unless said vehicle shall appropriately display a handicapped parking permit identification card issued by the Department of Revenue and Taxation to the vehicle as by law provided. No vehicle shall remain parked along a curb for a period longer than the time indicated on the curb. *(Section 8-7-4 amended by Ordinance 778, effective 5-12-85.)*

**8-7-5. Prohibited Parking. -** No vehicle shall be parked:

- (a) upon a curb or sidewalk;
- (b) in front of any driveway;

- (c) within a crosswalk;
- (d) upon any bridge;
- (e) in any alley, except during the actual process of loading or unloading;
- (f) in any place where parking is prohibited by a sign clearly visible prohibiting parking in the area in question; or
- (g) for any period of time in excess of time indicated by any marking or clearly posted sign.

**8-7-6. Main Street.** - No vehicle shall be parked on Main Street between the hours of 2:00 a.m. and 5:00 a.m.

**8-7-7. Removal of Vehicles.** – Any vehicle may be removed by the police if:

- (a) vehicle is obstructing traffic;
- (b) violation of City Code 8-4-4-License Plates, 8-7-5-Prohibited Parking, 8-7-8-Unregistered Vehicles, 8-7-9-Inoperative Vehicles, 8-7-10-Parking of Trucks etc., Prohibited or 8-11-1-Liability Coverage.*(Section 8-7-7 was amended by Ordinance 1143 effective 06/15/08)*

**8-7-8. Unregistered Vehicles.** - No vehicle shall be parked on any street without valid registration plates properly displayed.

**8-7-9. Inoperative Vehicles.** - No motor vehicle shall be parked on any street in an inoperative condition for longer than 48 hours.

**8-7-10. Parking of Trucks, Trailers, Machinery, Mobile Homes and Campers Prohibited.** – No truck shall be parked on any city street except during the actual process of loading or unloading. The above sentence shall not apply to vans and pick-up trucks less than eight (8) feet high and seven (7) feet wide, load included. No trailer of any kind shall be parked on any city street in excess of two (2) days within a fourteen (14) day period. No motor homes or campers shall be parked on any city streets for a period in excess of five (5) consecutive calendar days. No machinery of any size, construction or other types of machinery, shall be parked on any city streets for a period in excess of twenty-four (24) hours within a fourteen (14) day period unless a construction permit or a permit for repairs to the machinery has been obtained from the City for that piece of machinery and all machinery parked on any city street shall have reflectors on the front and rear of the machinery when it is parked on any city street. *(Section 8-7-10 amended by Ordinance 1121, effective September 17, 2006)*

**8-8-1. Avoiding Signs or Signals.** - No person shall drive a motor vehicle through or across

any driveway or parking lot with the intent to avoid obedience to any City signs or signals. The act of crossing any such property without stopping shall be presumptive proof of a violation of this section.

**8-8-2. "Police" Insignia.** - No person except an authorized employee of governmental body or agency shall operate a motor vehicle bearing the word "Police."

**8-9-1. Repealed by Ordinance 730.**

**8-10-1. Definitions**

- A. **"Operator"** means every person who operates or is in actual physical control of the operation of a snowmobile.
- B. **"Owner"** means every person defined in this chapter, other than a lienholder or other person having a security interest only, holding registration to a snowmobile, and entitled to the use or possession thereof.
- C. **"Person"** means an individual, partnership, association, corporation and any other body or group of persons, whether incorporated or not, and regardless of the degree of formal organization.
- D. **"Streets"** shall be defined as set forth in Section 8-1-2 of the Lander City Code, W.S. §31-5-102(a)(XLIX), and it is intended that the definition shall be in accordance with W.S. §31-5-801(a)(iii), which authorizes a municipality to enact an ordinance allowing the operation of snowmobiles on highways within cities.
- E. **"Snowmobile"** shall be defined as set forth in W.S. §31-5-102(a)(XLV).
- F. **"Stock"** means the factory original equipment, or a similar replacement that does not increase the noise or exhaust output of the snowmobile over factory specifications.

**8-10-2. Operation of Snowmobiles on City Streets.** - It shall be lawful to drive or operate a snowmobile on the streets within the City of Lander, subject to all rules and regulations set forth in this chapter, except on Main Street, from the west edge of First Street to the south edge of Baldwin Creek Road, provided that Main Street may be crossed at established street intersections.

**8-10-3. Motor Vehicle Regulations.** - All Ordinances and State Statutes pertaining to motor vehicles shall apply to snowmobiles to the extent applicable.

**8-10-4. Additional Regulations Applicable to Snowmobiles.** - In addition to the regulations set forth in Section 8-10-3 hereof, it shall be unlawful for any person to drive or operate any snowmobile in any one or more of the following manners:

- A. At a rate of speed greater than provided by law for motor vehicles;
- B. While under the influence of intoxicating liquor or narcotics or habit forming drugs;
- C. In a careless or reckless manner so as to endanger the person or property of the operator, owner or another, or to cause injury or damage to either;
- D. Without a lighted head and tail light which shall be lighted at all times during such operation, or without an operable brake light;
- E. Without a suitable braking device which may be operated by either hand or foot;
- F. Without a flag five feet in height attached to the rear bumper of the snowmobile. For persons arriving in Lander, said flag shall be required within 8 hours of their arrival in the city;
- G. Operating a snowmobile, or permitting such operation, by any person who by reason of physical or mental disability is incapable of operating the snowmobile as required for safety under the prevailing circumstances;
- H. Operate a snowmobile upon the streets of the city as authorized by this chapter without a permanent license to drive a motor vehicle in his possession, as required by the laws of the state. Said license shall not include temporary permits, restricted class "C" or "M" permits as set forth in W.S. §31-7-117 nor motorcycle only permits. Persons arriving in the city from out of town, who are under the age of 16 and operating a snowmobile, shall be allowed to operate the snowmobile, provided they are directly supervised by an adult and further provided they operate it only for ingress and egress in to and out of the city limits;
- I. Without a stock muffler as defined herein, in good working order and in constant operation which prevents excessive or unusual noise and annoying exhaust;
- J. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter;
- K. No snowmobile shall be operated within the city while occupied by more than two persons, and if a snowmobile is so operated, each occupant thereof shall be in violation of this chapter;
- L. No snowmobile shall pull any skier, sled or other combination vehicle by rope or flexible coupling; all sleighs or cutters shall be safely and securely affixed to the snowmobile, by direct coupling, solid tongue or triangular-shaped towbar not to exceed forty inches in length, securely affixed to two points on the sleigh or cutter, with one flexible joint at the center of the snowmobile;

- M. No person shall operate a snowmobile on private property without the express permission of the property owner;
- N. No person shall operate a snowmobile within the city limits between the hours of 10:00 p.m. and 7:00 a.m.;
- O. No person shall operate a snowmobile in any municipal park, playground, or recreation area, except when posted as open to snowmobiles or as authorized for cross country trail grooming;
- P. No person shall operate a snowmobile upon any property within the Lander city limits which is owned by Fremont County School District No. 1;
- Q. Abreast of another snowmobile or other than single file;
- R. No person shall accelerate any snowmobile with the intent of competing with another snowmobile or motor vehicle in a speed or acceleration competition or of displaying the acceleration capability of the snowmobile;
- S. No person shall operate nor ride upon a snowmobile within the City of Lander without wearing a DOT safety approved helmet;
- T. No person shall operate a snowmobile within the City of Lander without having in full force and effect a liability insurance policy, as is required of motor vehicles in Section 8-11-1 of the Lander City Codes.

**8-10-5. Registration.** - The owner of a snowmobile shall register such vehicle in accordance with the applicable laws of the state, and shall further comply with all provisions of the state laws concerning snowmobiles.

**8-10-6. Inspection.** - The city police, and members of the State Highway Patrol and county officers, may at any time, upon reasonable cause to believe that a snowmobile is unsafe or not equipped as required by this chapter, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and test with reference thereto as may be appropriate. No person shall operate a snowmobile after receiving notice with reference thereto as provided in this section except as may be necessary to return such vehicle to the residence or place of business of the owner or driver or to a garage, until the snowmobile and its equipment have been placed in proper repair and adjustment and otherwise made to conform to the requirements of this chapter.

**8-10-7. Authorized Operations.** - All persons operating a snowmobile within the City of Lander shall abide by the following:

- A. A full stop at any and all stop signs will be made by the operator of snowmobiles.

- B. The operator of a snowmobile emerging from an alley, driveway, or building shall upon approaching a sidewalk or the sidewalk area yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.
- C. No person riding upon any snowmobile shall attach the same or himself to any vehicle upon the street or roadway.
- D. No person shall park a snowmobile upon a street other than upon the roadway against the curb in such a manner as to afford the least obstruction to pedestrian and/or vehicular traffic.

**8-10-8. Unattended Snowmobiles.** - No person shall leave a snowmobile unattended on any public property with the motor running or a key in the ignition switch.

**8-10-9. Violation - Penalty.** - Any person who violates any provisions of this chapter is guilty of a misdemeanor and upon conviction, is subject to the general penalty provisions of Section 1-2-1 of the Lander City Code. (*Section 8-10-1 - 8-10-9 was amended by Ordinance 899 effective 5-31-93*)

**8-11-1. Failure to Maintain Liability Coverage; Penalties; Exception.**

a) No owner of a motor vehicle required to be registered shall operate or permit the operation of his motor vehicle without having in full force and effect a motor vehicle liability policy in amounts provided by W.S. 31-9-405(b) or a bond in amounts provided by W.S.31-9-102(a)(xi). Violation of this subsection is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both. Excusable neglect or mistake by another is a defense for any violation of this subsection. If evidence of excusable neglect or mistake by another is presented and the defendant is convicted, the court may consider this evidence in imposing a penalty under this subsection. The judge may suspend part or all of the sentence under this subsection and place the defendant on probation subject to conditions imposed by the judge which may include a condition that the defendant shall deliver the registration and license plates of the vehicle involved to the Fremont County Treasurer. This subsection does not apply to a vehicle owned by a nonresident and registered in a state requiring insurance if a vehicle insurance policy meeting requirements of the laws and regulations of that state is in effect or unless it otherwise complies with the laws of that state concerning compulsory financial responsibility. A vehicle owned by a nonresident and registered in a state not requiring insurance is exempt from this subsection.

b) Any police officer employed by the City of Lander issuing a citation for any moving violation under city ordinance 8-1-1 through 8-5-1 and 8-7-2 through 8-8-2 or W.S. 31-5-101 through 31-5-1214 or inspecting any vehicle shall require the operator of any motor vehicle required to be registered to produce evidence of whether the operator or owner of the motor vehicle has in full force and effect a motor vehicle liability policy in amounts provided by W.S. 31-9-405(b)

or a bond in amounts provided by W.S. 31-9-102(a)(xi). If the operator cannot show written proof of financial responsibility, the driver shall have seven (7) days to produce such proof. Any operator or owner of a motor vehicle required to be registered who is not able to demonstrate evidence of compliance with subsection (a) of this section may be charged with violating that subsection. Additionally, the judge may order any driver failing to produce written proof of financial responsibility to pay restitution. Effective January 1, 1993, the displaying or exhibiting of a validly issued insurance identification card as provided by W.S. 31-8-201 by an operator or owner of the motor vehicle constitutes compliance with this section. No operator or owner of a motor vehicle charged with violating this section shall be convicted if he produces in court one (1) of the following which was valid at the time of arrest or at the time the citation was issued:

- (i) A liability insurance policy previously issued to him;
  - (ii) Evidence of a bond on file with the department in amounts provided by W.S. 31-9-102(a)(xi).
- c) This section does not apply to:
- (i) Self-insurers pursuant to W.S. 31-9-414;
  - (ii) A vehicle owned by the United States government, any state or political subdivision thereof which is self-insured;
  - (iii) A vehicle meeting the requirements of W.S. 31-9-408 and 31-9-409;
  - (iv) A commercial vehicle registered or proportionally registered in this and any other jurisdiction provided the vehicle is covered by a vehicle insurance policy complying with the laws of any other jurisdiction in which it is registered. (*Section 8-11-1 created by Ordinance 867, effective 10-8-91.*)

**8-12-1**      **Creation of Bond Schedule.** - The City of Lander hereby creates and adopts a Bond Schedule for offenses committed within the City of Lander. Said Bond Schedule as established by the Municipal Judge is attached hereto as appendix I and may be amended by the Municipal Judge from time to time. A copy of the most current bond schedule shall be kept on file at the City Hall by the City Clerk and at the city police station by the Chief of Police. The terms, offenses and procedure for bond shall be as set forth on said appendix I.

Any person arrested by a city police officer for violation of a city ordinance shall be admitted to bail by executing a bond to the city in the amount set by bond schedule then in effect. The condition for release shall be as set forth in the city bond schedule. Said bond shall be filed in the office of the Municipal Judge and an entry of the filing thereof shall be made on his docket. (*This section created by Ordinance 876, effective 8-12-91.*)