

**RESOLUTION NO. 05-01**

WHEREAS, Section 5-403 of the Municipal Code of the City of Friend, Nebraska (1999) provides that the City Council may by resolution set aside any street or portion thereof where the parking of vehicles shall be prohibited; and

WHEREAS, it is deemed necessary to so designate certain areas indicated below within the City as no parking areas for the protection of the public;

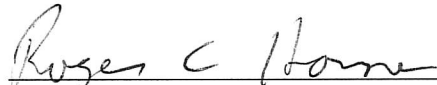
NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA as follows:

No parking of any vehicle of any type shall be allowed on either side of 2nd Street between Spring Street and Sycamore Street, with exception to the existing permanent parking allotted for Warren Memorial Hospital and Friendship Terrace. Signs stating, "NO PARKING ANYTIME" shall be erected and located in the necessary manner to so identify and designate this area.

Councilperson Tuttle moved the adoption of said Resolution. Councilperson Schrock seconded the motion. Upon vote the following Councilpersons voted aye, Schrock, Weber, Tuttle, Fricke. Nays, none. The Mayor declared Resolution 05-01 adopted.

Dated this 12<sup>th</sup> day of January, 2005.

THE CITY OF FRIEND, NEBRASKA

  
\_\_\_\_\_  
Roger C. Horner, Mayor

ATTEST:

  
\_\_\_\_\_  
Don Anderson,  
Acting Friend City Council Secretary



TO: Friend City Council  
FROM: Richard Ziegler  
DATE: December 3, 2003

RE: Traffic Hazard Concerning Pedestrians

I suggest to the Council a dangerous motor vehicle/pedestrian traffic situation exists at the junction of 2<sup>nd</sup> Street and the alley just east of the First National Bank parking lot. The situation is partially created by the duplex apartment building abutting the east side of the alley.

This dangerous condition is caused by motor vehicle drivers too rapidly exiting the alley after using the mail drop off box behind the Post Office and encountering westbound pedestrian traffic on the sidewalk in front of the apartment structure.

I was nearly hit by motor vehicles twice on the same day, around October 1, 2003. I witnessed a pedestrian nearly hit by a motor vehicle exiting the alley on December 1, 2003.

I suggest either a stop sign be placed on one of the two poles at the south end of the alley or, at the least, a sign warning to drivers to exit slowly as a westbound pedestrian may suddenly appear from in front of the apartment building.

Library patrons, including children, often utilize this sidewalk.

Thank you for your consideration of this matter.

(3) The driver of a vehicle about to enter or cross a paved roadway from an unpaved roadway and who is not subject to control by a traffic control device shall yield the right-of-way to all vehicles approaching on such paved roadway.

(4) The right-of-way rules set forth in subsections (1) and (3) of this section are modified at through highways and otherwise as stated in the Nebraska Rules of the Road.

Source: Laws 1973, LB 45, § 35; R.S.1943, (1988), § 39-635; Laws 1993, LB 370, § 242.

**§ 60-6,147. Vehicle turning left; yield right-of-way.**

The driver of a vehicle who intends to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or approaching so close as to constitute an immediate hazard.

Source: Laws 1973, LB 45, § 36; R.S.1943, (1988), § 39-636; Laws 1993, LB 370, § 243.

**§ 60-6,148. Preferential right-of-way; stop and yield signs.**

(1) Competent authority may provide for preferential right-of-way at an intersection and indicate such by stop signs or yield signs erected by such authorities.

(2) Except when directed to proceed by a peace officer or traffic control signal, every driver of a vehicle approaching an intersection where a stop is indicated by a stop sign shall stop at a clearly marked stop line or shall stop, if there is no such line, before entering the crosswalk on the near side of the intersection or, if no crosswalk is indicated, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, such driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on such highway as to constitute an immediate hazard if such driver moved across or into such intersection.

(3) The driver of a vehicle approaching a yield sign shall slow to a speed reasonable under the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line or shall stop, if there is no such line, before entering the crosswalk on the near side of the intersection or, if no crosswalk is indicated, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, such driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to

constitute an immediate hazard if such driver moved across or into such intersection.

Source: Laws 1973, LB 45, § 37; R.S.1943, (1988), § 39-637; Laws 1993, LB 370, § 244.

**§ 60-6,149. Vehicle entering roadway from private road or driveway; yield right-of-way.**

The driver of a vehicle emerging from an alley, driveway, private road, or building shall stop such vehicle immediately before driving onto a sidewalk and shall yield the right-of-way to any pedestrian approaching on any sidewalk. Before entering the highway, the driver shall yield the right-of-way to all vehicles approaching on such highway.

The driver of a vehicle entering an alley, building, private road, or driveway shall yield the right-of-way to any pedestrian approaching on any sidewalk.

Source: Laws 1973, LB 45, § 38; R.S.1943, (1988), § 39-638; Laws 1993, LB 370, § 245.

**§ 60-6,150. Moving a stopped, standing, or parked vehicle; yield right-of-way.**

No person shall move a vehicle which is stopped, standing, or parked without yielding the right-of-way to all other vehicles and pedestrians affected by such movement and in no event until such movement can be made with reasonable safety.

Source: Laws 1973, LB 45, § 39; R.S.1943, (1988), § 39-639; Laws 1993, LB 370, § 246.

**§ 60-6,151. Operation of vehicles upon the approach of emergency vehicles.**

(1) Upon the immediate approach of an authorized emergency vehicle which makes use of proper audible or visual signals:

(a) The driver of any other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway or to either edge or curb of a one-way roadway, clear of any intersection, and shall stop and remain in such position until such emergency vehicle passes unless otherwise directed by any peace officer; and

(b) Any pedestrian using such roadway shall yield the right-of-way until such emergency vehicle passes unless otherwise directed by any peace officer.

(2) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

Source: Laws 1973, LB 45, § 40; R.S.1943, (1988), § 39-640; Laws 1993, LB 370, § 247.

(i) PEDESTRIANS

**§ 60-6,152. Pedestrian obedience to traffic control devices and regulations.**

(1) A pedestrian shall obey the instructions of an

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 report required.

#### EXHAUST AND NOISE

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 LB 291, § 14; R.S. Supp., 1992,  
 97; Laws 1993, LB 564, § 14;  
 6; LB 1104, § 2; Laws 1997, LB  
 Laws 1999, LB 585, § 3; Laws  
 B 1105, § 148; Laws 2002, LB  
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(6) To reduce the huge annual loss of life and property which occurs on Nebraska's highways; and

(7) To assist traffic law enforcement by encouraging voluntary compliance with law through uniform rules.

**Source:** Laws 1973, LB 45, § 1; R.S. 1943, (1988), § 39-601; Laws 1993, LB 370, § 98.

#### § 60-603. Rules; not retroactive.

The Nebraska Rules of the Road as enacted by Laws 1993, LB 370, shall not have a retroactive effect and shall not apply to any traffic accident, to any cause of action arising out of a traffic accident or judgment arising therefrom, or to any violation of the motor vehicle laws of this state occurring prior to January 1, 1994. All violations, offenses, prosecutions, and criminal appeals under prior law are saved and preserved. All civil causes of action based upon or under prior law arising out of traffic accidents prior to such date and judgments thereon or appeals therefrom are saved and preserved.

**Source:** Laws 1973, LB 45, § 120; R.S. 1943, (1988), § 39-6, 120; Laws 1993, LB 370, § 99.

#### § 60-604. Construction of rules.

The Nebraska Rules of the Road shall be so interpreted and construed as to effectuate their general purpose to make uniform the laws relating to motor vehicles.

**Source:** Laws 1973, LB 45, § 121; R.S. 1943, (1988), § 39-6, 121; Laws 1993, LB 370, § 100.

#### § 60-605. Definitions, where found.

For purposes of the Nebraska Rules of the Road, the definitions found in sections 60-606 to 60-676 shall be used.

**Source:** Laws 1993, LB 370, § 101; Laws 1996, LB 901, § 1; Laws 1997, LB 91, § 2; Laws 2001, LB 38, § 43.

#### § 60-606. Acceleration or deceleration lane, defined.

Acceleration or deceleration lane shall mean a supplementary lane of a highway lane for traffic, which adjoins the traveled lanes of a highway and connects an approach or exit road with such highway.

**Source:** Laws 1993, LB 370, § 102.

#### § 60-607. Alley, defined.

Alley shall mean a highway intended to provide access to the rear or side of lots or buildings and not intended for the purpose of through vehicular traffic.

**Source:** Laws 1993, LB 370, § 103.

, defined.

in that period of time between

LB 370, § 113.

**Divided highway, defined.**

shall mean a highway with separate traffic in opposite directions.

LB 370, § 114.

**Grade separation, defined.**

shall mean a divided arterial highway primarily for through traffic with full access which may have grade intersections.

LB 901, § 5.

**Electric personal assistive mobility device, defined.**

shall mean a self-propelled mobility device designed to transport only one person and powered by an electric propulsion system with an output of seven hundred fifty watts or one horsepower maximum speed on a paved level surface solely by such a propulsion system. The weight of the device when being ridden by an operator who weighs no more than seventy pounds, is less than one hundred pounds.

LB 4105, § 149.

**Farm tractor, defined.**

shall mean every motor vehicle designed primarily as a farm implement for use in mowing machines, and other implements and machinery.

LB 370, § 115.

**Final conviction, defined.**

shall mean the final determination of fact and of law.

LB 370, § 116.

**Freeway, defined.**

shall mean a divided arterial highway primarily for through traffic with full access and with grade separations at all grade road crossings, including all interchanges and approach and exit roads thereto.

LB 370, § 117.

**§ 60-622. Full control of access, defined.**

Full control of access shall mean that the right of owners or occupants of abutting land or other persons to access or view is fully controlled by public authority having jurisdiction and that such control is exercised to give preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings or intersections at grade or direct private driveway connections.

Source: Laws 1993, LB 370, § 118.

**§ 60-623. Grade separation, defined.**

Grade separation shall mean a crossing of two highways at different levels.

Source: Laws 1993, LB 370, § 119.

**§ 60-624. Highway, defined.**

Highway shall mean the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Source: Laws 1993, LB 370, § 120.

**§ 60-625. Implement of husbandry, defined.**

Implement of husbandry shall mean every vehicle or implement designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and used primarily off any highway.

Source: Laws 1993, LB 370, § 121; Laws 2000, LB 1361, § 1.

**§ 60-625.01. Impoundment of operator's license, defined.**

Impoundment of operator's license shall have the meaning found in section 60-470.01.

Source: Laws 2001, LB 38, § 44.

**§ 60-626. Interchange, defined.**

Interchange shall mean a grade-separated intersection with one or more turning roadways for travel between any of the highways radiating from and forming part of such intersection.

Source: Laws 1993, LB 370, § 122.

**§ 60-627. Intersection, defined.**

Intersection shall mean the area embraced within the prolongation or connection of the lateral curb lines or, if there are no lateral curb lines, the lateral



placed in accordance with the Nebraska Rules of the Road, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in the

No provision of the rules for which traffic control devices are required shall be enforced against an alleged violator if at the time and place of the violation an official device is not in position and sufficiently legible to be seen by a reasonably observant person. Whenever any provisions of the rules does not state that traffic control devices are required, such provision shall be effective though no devices are erected or in place. Whenever traffic control devices are placed in accordance with the rules, such devices shall be presumed to have been so placed by the official act or direction of the authority unless the contrary is established by competent evidence.

Any traffic control device placed pursuant to the rules and purporting to conform with the lawful provisions pertaining to such devices shall be presumed to comply with the requirements of the rules unless the contrary is established by competent evidence.

of the department, or on any state-maintained freeway of the state highway system.

(4) The placing of traffic control devices by the department shall not be a departmental rule, regulation, or order subject to the statutory procedures for such rules, regulations, or orders but shall be considered as establishing precepts extending the provisions of the Nebraska Rules of the Road as necessary to regulate, warn, or guide traffic. Violation of such traffic control devices shall be punishable as provided in the rules.

Source: Laws 1973, LB 45, § 10; R.S.1943, (1988), § 39-610; Laws 1993, LB 370, § 216.

**§ 60-6,121. Placing and maintaining traffic control devices; local authorities.**

Local authorities in their respective jurisdictions shall place and maintain such traffic control devices upon highways under their jurisdictions as they deem necessary to indicate and to carry out the provisions of the Nebraska Rules of the Road or to regulate, warn, or guide traffic. All such traffic control devices erected pursuant to the rules shall conform with the manual.

Source: Laws 1973, LB 45, § 11; R.S.1943, (1988), § 39-611; Laws 1993, LB 370, § 217.

**§ 60-6,122. Traffic control devices; when illegal to sell or lease.**

It shall be unlawful for any person to sell, lease, or offer for sale or lease any traffic control devices which are not in compliance with the manual.

Source: Laws 1973, LB 45, § 13; R.S.1943, (1988), § 39-613; Laws 1993, LB 370, § 218.

**§ 60-6,123. Traffic control signals; meaning; turns on red signal; when.**

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 or symbol, and such lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1)(a) Vehicular traffic facing a circular green indication 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 indication is exhibited;

(b) Vehicular traffic facing a green arrow indication, shown alone or in combination with another indication, may cautiously enter the intersection

**§ 60-6,120. Placing and maintaining traffic control devices; jurisdiction.**

The Department of Roads shall place and maintain or provide for such placing and maintaining traffic control devices, conforming to the manual upon all state highways as it deems necessary to indicate and to carry out the Nebraska Rules of the Road or to regulate, warn, or guide traffic.

In incorporated cities and villages with less than ten thousand inhabitants, the department shall have exclusive jurisdiction regarding the erection and maintenance of traffic control devices on the state highway system but shall not place traffic control devices on the state highway system within incorporated cities and villages of more than twenty-thousand inhabitants without consultation with the city officials.

In incorporated cities of forty thousand or more inhabitants, except on state-maintained freeways of the state highway system where the department has exclusive jurisdiction, the city shall have exclusive jurisdiction regarding erection and maintenance of traffic control devices on the state highway system after consultation with the department, except that there shall be joint jurisdiction with the department for such traffic control devices for which the local authority accepts responsibility for the erection and maintenance.

Local authority shall place or maintain any traffic control device upon any highway under the jurisdiction of the department, except by permission

## Article 2. Traffic Regulations

**§5-201**        **TRUCK ROUTES.** The Governing Body may, by resolution, designate certain streets in the Municipality that trucks shall travel upon, and it shall be unlawful for persons operating such trucks to travel on other streets than those designated for trucks, unless to pick up or deliver goods, wares, or merchandise, and in that event, the operator of such truck shall return to such truck routes as soon as possible in traveling through, or about the Municipality. The Governing Body shall cause notices to be posted, or shall erect signs indicating the streets so designated as truck routes. (*Ref. 60-681 RS Neb.*)

**§5-202**        **TRAFFIC LANES; DESIGNATION.** The Governing Body may, by resolution, mark lanes for traffic on street pavements at such places as it may deem advisable. (*Ref. 60-680 RS Neb.*)

**§5-203**        **ARTERIAL STREETS; DESIGNATION.** The Governing Body may, by resolution, designate any street or portion thereof as an arterial street and shall provide for appropriate signs or markings when such street has been so designated. (*Ref. 60-680 RS Neb.*)

**§5-204**        **CROSSWALKS.** The Governing Body may, by resolution, establish and maintain, by appropriate devices, markers, or lines upon the street, crosswalks at intersections where there is particular danger to pedestrians crossing the street, and at such other places as they may deem necessary. (*Ref. 60-680 RS Neb.*)

**§5-205**        **SIGNS, SIGNALS.** The Governing Body may, by resolution, provide for the placing of stop signs, or other signs, signals, standards, or mechanical devices in any street or alley under the Municipality's jurisdiction for the purpose of regulating, or prohibiting traffic thereon. Such resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall be effective. It shall be unlawful for any person to fail, neglect, or refuse to comply with such regulation, or prohibition. (*Ref. 60-680, 60-6,119 through 60-6,121 RS Neb.*)

**§5-206**        **SPEED LIMITS.** (1) No person shall drive any motor vehicle on any street or highway in the City at a speed greater than is reasonable or prudent under the conditions of traffic then existing.

(2) The following speeds shall be prima facie lawful, subject to the provisions of subsection (1):

(a) Fifteen miles per hour within the congested district which shall include that portion of the Municipality within the following bounds: Main, Maple and Chestnut Streets from the south side of First Street to the south side of Third Street; and Second Street from the west side of Main Street to east side of Chestnut Street.

(b) Twenty miles per hour on Second Street from Chestnut Street to Vine Street.

(c) Twenty-five miles per hour outside the congested district of the City.

(d) On First Street, more commonly known as Highway Six, forty-five miles per hour from the City limits on the West end of town to Cedar Street and from the City limits on the East side of town to Spring Street.

(3) The driver of a vehicle about to enter or cross a paved roadway from an unpaved roadway and who is not subject to control by a traffic control device shall yield the right-of-way to all vehicles approaching on such paved roadway.

(4) The right-of-way rules set forth in subsections (1) and (3) of this section are modified at through highways and otherwise as stated in the Nebraska Rules of the Road.

Source: Laws 1973, LB 45, § 35; R.S.1943, (1988), § 39-635; Laws 1993, LB 370, § 242.

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(1) Competent authority may provide for preferential right-of-way at an intersection and indicate such by stop signs or yield signs erected by such authorities.

(2) Except when directed to proceed by a peace officer or traffic control signal, every driver of a vehicle approaching an intersection where a stop is indicated by a stop sign shall stop at a clearly marked stop line or shall stop, if there is no such line, before entering the crosswalk on the near side of the intersection or, if no crosswalk is indicated, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, such driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on such highway as to constitute an immediate hazard if such driver moved across or into such intersection.

(3) The driver of a vehicle approaching a yield sign shall slow to a speed reasonable under the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line or shall stop, if there is no such line, before entering the crosswalk on the near side of the intersection or, if no crosswalk is indicated, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, such driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to

constitute an immediate hazard if such driver moved across or into such intersection.

Source: Laws 1973, LB 45, § 37; R.S.1943, (1988), § 39-637; Laws 1993, LB 370, § 244.

**§ 60-6,149. Vehicle entering roadway from private road or driveway; yield right-of-way.**

The driver of a vehicle emerging from an alley, driveway, private road, or building shall stop such vehicle immediately before driving onto a sidewalk and shall yield the right-of-way to any pedestrian approaching on any sidewalk. Before entering the highway, the driver shall yield the right-of-way to all vehicles approaching on such highway.

The driver of a vehicle entering an alley, building, private road, or driveway shall yield the right-of-way to any pedestrian approaching on any sidewalk.

Source: Laws 1973, LB 45, § 38; R.S.1943, (1988), § 39-638; Laws 1993, LB 370, § 245.

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No person shall move a vehicle which is stopped, standing, or parked without yielding the right-of-way to all other vehicles and pedestrians affected by such movement and in no event until such movement can be made with reasonable safety.

Source: Laws 1973, LB 45, § 39; R.S.1943, (1988), § 39-639; Laws 1993, LB 370, § 246.

**§ 60-6,151. Operation of vehicles upon the approach of emergency vehicles.**

(1) Upon the immediate approach of an authorized emergency vehicle which makes use of proper audible or visual signals:

(a) The driver of any other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway or to either edge or curb of a one-way roadway, clear of any intersection, and shall stop and remain in such position until such emergency vehicle passes unless otherwise directed by any peace officer; and

(b) Any pedestrian using such roadway shall yield the right-of-way until such emergency vehicle passes unless otherwise directed by any peace officer.

(2) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

Source: Laws 1973, LB 45, § 40; R.S.1943, (1988), § 39-640; Laws 1993, LB 370, § 247.

(i) PEDESTRIANS

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**§ 60-6,150**

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A. A stop sign is hereby designated to be erected, maintained and rules to be enforced, in accordance with Nebraska State Statute (60-6,148; 60-6,121; 60-682) on the west side of the south exit, entering 2<sup>nd</sup> Street, in the alley between Maple Street and Chestnut Street. It shall also be designated that a sign stating, "WATCH FOR PEDESTRIANS" be placed in a manner near or adjacent to the same. It shall be unlawful for any driver approaching the intersection and pedestrian crossing, except when directed by a peace officer or traffic control signal, to proceed in a manner deemed a violation of Nebraska State Statute.

Debbie, this is the proposal for the stop sign in the alley by the bank, I did not make copies of this page since you are re-writing it. Thanks

Jason