

ORDINANCE NO. 4731

AN ORDINANCE AMENDING SECTION 8-0516 OF THE GRAND FORKS CITY CODE RELATING TO PASSING AND OVERTAKING VEHICLES

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF GRAND FORKS, NORTH DAKOTA, THAT:

SECTION I. AMENDING CLAUSE

Section 8-0516 of the Grand Forks City Code relating to passing and overtaking vehicles is hereby amended to provide as follows:

8-0516. - Passing and overtaking vehicles.

- (1) Except as otherwise provided herein, vehicles moving slowly shall keep as close as possible to the curb on the right, allowing more swiftly moving vehicles free passage to their left.
- (2) Subject to the exceptions hereinafter stated, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the ~~overtaken~~ overtaking vehicle and shall not increase the speed of the vehicle until completely passed by the overtaking vehicle.
- (3) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
 - (A) When the vehicle overtaken is making or about to make a left turn;
 - (B) Upon a street or roadway with an unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction; or
 - (C) Upon any roadway on which traffic is restricted to one (1) direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.
- (4) In overtaking and passing another vehicle proceeding in the same direction, the driver shall not:


- (A) Drive to the left side of the centerline of a street unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety;
- (B) Overtake and pass such vehicle upon the crest of a grade or upon a curve in the street where the driver's view along the street is obstructed within a distance of five hundred (500) feet; nor
- (C) Overtake and pass such vehicle at any railway grade crossing nor at any intersection of streets unless permitted to do so by a traffic or police officer or where traffic lanes are clearly marked.

SECTION II. EFFECTIVE DATE

This ordinance shall be in full force and effect after passage and approval as provided by law.


Michael R. Brown, Mayor

ATTEST:


Maureen Storstad, Director
Finance & Administrative Services

Introduction and first reading: 07/15/2019
Public Hearing: 08/05/2019
Second Reading and Final Passage: 08/05/2019
Approved: 08/05/2019
Published: N/A



City of Grand Forks Staff Report

APPROVED & ACCEPTED
by City Council
07/15/2019
Maureen Storstad
Maureen Storstad
City Auditor

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Committee of the Whole – July 8, 2019
City Council – July 15, 2019 and August 5, 2019

Agenda Item: Ordinance amending Section 8-0516 relating to passing and overtaking vehicles.

Submitted by: Howard D. Swanson, City Attorney

Staff Recommended Action: Give preliminary and final approval to Ordinance.

Committee Recommended Action: Refer to City Council for the recommendation to approve.

07/15/2019 Preliminary approval passed unanimously on consent agenda

Council Action:

BACKGROUND:

Grand Forks City Code Section 8-0516 currently has a typographical error in Section 8-0516(2). “overtaken” should be “overtaking”. This Ordinance makes the technical correction in changing an improper adjective.

ANALYSIS AND FINDINGS OF FACT:

Grand Forks City Code Section 8-0516(2) contains an error in the adopted Ordinance. This Ordinance corrects the error.

SUPPORT MATERIALS:

Draft Ordinance

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