

ORDINANCE NO. 1407

An ordinance amending Chapter 21 of the Code of the City of Jamestown, North Dakota, by amending Section 21-03-16 which sets forth regulations concerning operation of authorized emergency vehicles in the City of Jamestown.

WHEREAS, the North Dakota Legislative Assembly has enacted new regulations to the authority of a fire truck or ambulance to use a flashing blue light.

WHEREAS, to allow implementation of the new provisions the City Code of the City of Jamestown requires updating.

NOW, THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Chapter 21, Section 21-03-16 be amended and re-enacted as follows:

**Sec. 21-03-16. Operation of authorized emergency motor vehicles.**

*(a) Class A authorized emergency vehicles.*

(1) The driver of a Class A authorized emergency vehicle may:

- a. Park or stand, irrespective of the provisions of this section;
- b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- c. Exceed the speed limit so long as he does not endanger life or property;
- d. Disregard regulations governing direction of movement or turning in specified directions.

(2) The exceptions herein granted to a Class A authorized emergency vehicle apply only:

- a. When the authorized emergency vehicle is in pursuit of or apprehension of a violator or a suspected violator requiring the use of these exceptions;
- b. When the Class A authorized emergency vehicle is being operated in response to a reported emergency involving a possible personal injury, death, or damage to property, and when giving adequate warning by use of a flashing red or combination red and white lights that are visible under normal atmospheric conditions for at least five hundred (500) feet (152.4 meters) and if appropriate, giving audible signal by siren or

airhorn. A fire truck, ambulance, or law enforcement vehicle that is otherwise a Class A authorized emergency vehicle may display a flashing blue light in addition to and under the same conditions as the other colors allowed in this subdivision.

- c. In any instance when the head of a law enforcement agency deems advisable within the area of that person's jurisdiction for the protection of person and property and when giving audible signal by siren or when giving adequate warning by use of a flashing red or combination red and white lights which are visible under normal atmospheric conditions for at least five hundred (500) feet (152.4 meters). A fire truck, ambulance, or law enforcement vehicle that is otherwise a Class A authorized emergency vehicle may display a flashing blue light in addition to and under the same conditions as the other colors allowed in this subdivision.

(3) An emergency vehicle may not display or permit to be displayed any red lamp except when operated on official business.

(4) Any law enforcement officer, as provided in Section 21-01-01, having stopped another vehicle along a street, and while still involved in that incident, or any other related activity, may use amber lights, visible under normal atmospheric conditions for at least five hundred (500) feet (152.4 meters), for the purpose of maintaining traffic flow.

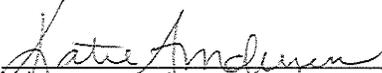
(b) *Class B authorized emergency vehicles.* (Same as parent volume.)

(c) *Class C authorized emergency vehicles.* (Same as parent volume.)

ATTEST:

APPROVED:

  
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Jeff Fuchs, City Administrator

  
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Katie Andersen, Mayor

Introduced by Council Member Brubakken  
Seconded by Council Member Kourajian  
First Reading: July 1, 2013  
Second Reading: July 26, 2013  
Final Passage: July 26, 2013

Consent Roll Call No. 1, Item 7, showed: 3 ayes, 0 nays, 2 absent.