

## **CHAPTER 8: TRAFFIC AND PARKING REGULATIONS**

### Article

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## ARTICLE 1: GENERAL PROVISIONS

### Section

8-1 Traffic Code; title

8-2 Definitions

### **§ 8-1 TRAFFIC CODE; TITLE.**

The provisions codified in this title may be known and cited as the “Traffic Code”.  
(1995 Code, § 8-1)

### **§ 8-2 DEFINITIONS.**

The words and phrases used in the Traffic Code shall have the same meaning and definition as defined in I.C. 9-13-2-0.1 through 9-13-2-201.

(1995 Code, § 8-2)

***Statutory reference:***

*Definitions addressing motor vehicles, see I.C. 9-13-2-1 et seq.*



## ARTICLE 2: SPEED LIMITS

### Section

#### 8-5 Local speed limits

### **§ 8-5 LOCAL SPEED LIMITS.**

The town, as authorized by state law, may declare and determine from the basis of an engineering and traffic investigation that certain maximum or minimum speed regulations shall be applicable upon specified streets. It shall be prima facie unlawful for any person to drive a vehicle in excess of any speed so declared upon any street when signs are in place giving notice thereof.

(1995 Code, § 8-5) Penalty, see § 8-84

***Statutory reference:***

*Authorization of local authorities to adopt local police regulations regulating traffic,  
see I.C. 9-21-1-2*



## ARTICLE 3: TRAFFIC CONTROL DEVICES

### Section

- 8-10 Authority to install and maintain
- 8-11 Manual and specifications
- 8-12 Required for enforcement purposes
- 8-13 Interference with official signs or signals prohibited

#### *Statutory reference:*

*Traffic control devices, see I.C. 9-21-4-19*

### **§ 8-10 AUTHORITY TO INSTALL AND MAINTAIN.**

The town shall place and maintain traffic control signs, signals, and devices when and as required to regulate, warn, or guide traffic.

(1995 Code, § 8-10)

### **§ 8-11 MANUAL AND SPECIFICATIONS.**

(A) All traffic control signs, signals, and devices shall conform to the manual and specifications approved by the Department of Highways.

(B) All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the town.

(C) All traffic control devices so erected and not inconsistent with the provisions of state law or the title code shall be official traffic control devices.

(1995 Code, § 8-11)

### **§ 8-12 REQUIRED FOR ENFORCEMENT PURPOSES.**

No provision of the Traffic Code for which signs are required shall be enforced against an alleged violator if at the time of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(1995 Code, § 8-12)

**§ 8-13 INTERFERENCE WITH OFFICIAL SIGNS OR SIGNALS PROHIBITED.**

No person shall, without lawful authority, attempt to, or in fact, alter, deface, injure, knock down, or remove any official traffic control device or any railroad sign or signal, or any inscription, shield, or insignia thereon, or any other part thereof.

(1995 Code, § 8-13) Penalty, see § 8-84



## ARTICLE 4: TURNING MOVEMENTS

### Section

8-18 Left turns

8-19 U-turns prohibited; signs unnecessary

#### *Statutory reference:*

*U-turns, see I.C. 9-21-8-19*

### **§ 8-18 LEFT TURNS.**

When signs are erected giving notice thereof, no driver of any vehicle shall make a left turn at the designated intersection.

(1995 Code, § 8-18) Penalty, see § 8-84

### **§ 8-19 U-TURNS PROHIBITED; SIGNS UNNECESSARY.**

No driver of any vehicle shall make a U-turn on any street or at any intersection within the town. It shall not be necessary to post signs warning the operators of vehicles that U-turns are prohibited.

(1995 Code, § 8-19) Penalty, see § 8-84



## ARTICLE 5: SPECIAL STOPS

### Section

- 8-24 Through streets
- 8-25 Stop signs
- 8-26 Four-way stop signs
- 8-27 Stop when traffic obstructed

### **§ 8-24 THROUGH STREETS.**

(A) Whenever the town designates a through street, a stop sign shall be placed and maintained on each and every street intersecting the through street unless otherwise provided by the Traffic Code.

(B) Through streets shall have the right-of-way over all other streets, except intersecting through streets, in which case, the right-of-way at the intersection is governed by traffic signals or stop signs under the Traffic Code.

(1995 Code, § 8-24)

### **§ 8-25 STOP SIGNS.**

When stop signs are erected upon streets intersecting a through street at the entrance thereto, every driver of a vehicle shall stop at the sign or at a clearly marked stop line before entering the intersection.

(1995 Code, § 8-25)

### **§ 8-26 FOUR-WAY STOP SIGNS.**

When stop signs are erected upon all four streets at any intersection, every vehicle shall stop at every sign or at a clearly marked stop line before entering the intersection. The first vehicle reaching an intersection shall, after stopping, have the right-of-way to proceed.

(1995 Code, § 8-26)

**§ 8-27 STOP WHEN TRAFFIC OBSTRUCTED.**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(1995 Code, § 8-27) Penalty, see § 8-84

## ARTICLE 6: ONE-WAY STREETS AND ALLEYS

### Section

8-30 Authority to post one-way signs

8-31 Movement in indicated direction only

#### *Statutory reference:*

*One-way highways, see I.C. 9-21-4-14*

### **§ 8-30 AUTHORITY TO POST ONE-WAY SIGNS.**

Whenever the town designates any one-way street or alley, signs shall be placed or maintained giving notice thereof. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(1995 Code, § 8-30)

### **§ 8-31 MOVEMENT IN INDICATED DIRECTION ONLY.**

Whenever one-way signs are posted, vehicles shall move only in the indicated direction of travel.

(1995 Code, § 8-31) Penalty, see § 8-84



## **ARTICLE 7: STANDING, STOPPING, AND PARKING REGULATIONS**

### Section

- 8-34 Parallel parking method designated
- 8-35 Angle parking restricted
- 8-36 Prohibited and limited parking during certain hours
- 8-37 Night parking prohibited on certain streets
- 8-38 Parking for physically disabled
- 8-39 Prohibited parking areas designated
- 8-40 Parking on streets and in alleys
- 8-41 Presumption in reference to illegal parking
- 8-42 Standing or parking vehicles for certain purposes prohibited
- 8-43 Parking of trailers
- 8-44 Parking regulations for certain streets in the town

### **§ 8-34 PARALLEL PARKING METHOD DESIGNATED.**

No person shall stand or park a vehicle on a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels within 12 inches of the curb or the edge of the roadway.

(1995 Code, § 8-34) Penalty, see § 8-84

### **§ 8-35 ANGLE PARKING RESTRICTED.**

Angle parking within the town is prohibited except on the streets and places where the parking is allowed by signs giving notice thereof. Where angle parking is permitted, the parked vehicles shall be between designated lines and not extending into the regular flow of traffic as to create a traffic hazard.

(1995 Code, § 8-35) Penalty, see § 8-84

### **§ 8-36 PROHIBITED AND LIMITED PARKING DURING CERTAIN HOURS.**

When signs are erected in each block giving notice thereof, no person shall park a vehicle beyond the time allowed by the signs between the hours of 8:00 a.m. and 6:00 p.m. of any day except Sundays and legal holidays.

(1995 Code, § 8-36) Penalty, see § 8-84

**§ 8-37 NIGHT PARKING PROHIBITED ON CERTAIN STREETS.**

When signs are erected giving notice thereof, it is unlawful for persons to park on designated streets between the hours of 2:00 a.m. and 6:00 a.m. except physicians on emergency calls.  
(1995 Code, § 8-37) Penalty, see § 8-84

**§ 8-38 PARKING FOR PHYSICALLY DISABLED.**

(A) Certain parking spaces within the streets and places of the town may be designated for use by individuals with physical disabilities.

(B) When signs are erected giving notice thereof, no parking shall be permitted in those spaces except for or by those individuals with physical disabilities.  
(1995 Code, § 8-38) Penalty, see § 8-84

***Statutory reference:***

*Disabled persons' license plates, see I.C. 9-18-22-1*

*Parking placards for physically disabled individuals, see I.C. 9-14-5-1 et seq.*

**§ 8-39 PROHIBITED PARKING AREAS DESIGNATED.**

(A) No persons shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with law, or the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway, or in a position so as to block any driveway entrance;
- (3) Within an intersection;
- (4) Within 15 feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 20 feet of a crosswalk at an intersection;
- (7) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;



(8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length has been indicated by signs or markings;

(9) Within 50 feet of the nearest rail of a railroad crossing;

(10) Within 20 feet of a driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance;

(11) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(12) On the roadway side of any vehicle stopped or parked at the edge of or curb of a street.

(13) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(14) At any place where an official sign prohibits parking, stopping, or standing;

(15) Within 50 feet of the center of the gate of any industrial plant;

(16) On any street located in Goshen Meadows subdivision; or

(17) On any street located in The Meadows subdivision.

(B) No person shall move a vehicle not lawfully under his or her control into any prohibited area or away from a curb a distance as is unlawful.

(1995 Code, § 8-39) (Ord. 98-03, passed 7-20-1998) Penalty, see § 8-84

**Statutory reference:**

*Stopping, standing, and parking, see I.C. 9-21-16-5*

**§ 8-40 PARKING ON STREETS AND IN ALLEYS.**

No person shall park a vehicle upon a street or within an alley in a manner or under conditions so as to leave available less than ten feet of space for vehicular travel.

(1995 Code, § 8-40) Penalty, see § 8-84

**§ 8-41 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING.**

In any prosecution charging a violation of any law or regulation governing the parking or standing of a vehicle, proof that the particular vehicle described in the notice to appear was parked in violation of any like law or regulation, together with proof that the defendant named in the complaint was, at the time of the violation, the registered owner of the vehicle, shall constitute prima facie evidence that the

registered owner was the person who parked the vehicle at the same time and place and for the time during which the violation occurred.

(1995 Code, § 8-41) Penalty, see § 8-84

#### **§ 8-42 STANDING OR PARKING VEHICLES FOR CERTAIN PURPOSES PROHIBITED.**

No person shall stand or park a vehicle upon any roadway, sidewalk, or parkway for the principal purpose of:

- (A) Displaying it for sale;
- (B) Greasing or changing oil;
- (C) Repairing or installing devices on the vehicles, except repairs necessitated by an emergency;
- (D) Selling merchandise therefrom unless authorized by proper licenses; or
- (E) Polishing, cleaning, or washing any vehicle in any park.

(1995 Code, § 8-42) Penalty, see § 8-84

#### **§ 8-43 PARKING OF TRAILERS.**

It is unlawful for any person to park, store, or permit to be parked or stored, any automobile trailer, boat trailer, and/or house trailer on any street or alley.

(1995 Code, § 8-43) Penalty, see § 8-84

#### **§ 8-44 PARKING REGULATIONS FOR CERTAIN STREETS IN THE TOWN.**

(A) *Parking by homeowners permit.*

(1) A displayed homeowner permit is required for certain streets in the town.

- (a) The north side of Washington Street from Harrison Street to Aiken Street;
- (b) The north side of Jackson Street from Harrison Street to Union Street;
- (c) The south side of Jackson Street from West Drive to the town limits.

(2) Homeowner permits may be obtained in person at the Town Police Department. There is no charge for the permit.

(3) A homeowner shall notify the Town Police Department of an event that will result in others parking in these areas. The notice shall be given in advance of the event and should include the time frame needed.

(B) *Prohibited parking.* Parking is prohibited in the following areas:

- (1) The south side of Washington Street from Harrison Street to Aiken Street;
- (2) The south side of Jackson Street from Harrison Street to Union Street;
- (3) The north side Jackson Street from West Drive to the town limits;
- (4) On Jackson Street from Union Street to Aiken Street.

(C) *Overnight parking prohibited, Jackson Street.* No overnight parking is permitted on Jackson Street from State Road 9 to West rive.

(D) *Town Square restrictions.* Parking around the outside of Town Square is limited to business use only.

(E) *Sundays, not in effect.* These regulations are not in effect on Sundays from 8:00 a.m. to 1:00 p.m.

(Ord. 2013-05, passed 4-1-2013)



**ARTICLE 8: MISCELLANEOUS TRAFFIC AND PARKING REGULATIONS**

Section

- 8-46 Freight and passenger loading zones
- 8-47 Crosswalks
- 8-48 Restrictions on backing
- 8-49 Driving on sidewalk restricted to driveways
- 8-50 Unlawful riding on vehicles
- 8-51 Driving vehicles on sidewalks or parkways
- 8-52 Golf cart/UV

**§ 8-46 FREIGHT AND PASSENGER LOADING ZONES.**

Certain areas and portions of streets and highways shall be known as freight loading zones or passenger loading areas. When those areas are properly marked and posted, no person shall stop and park a vehicle for any purpose or for any period of time in those zones or areas except for the expeditious loading or unloading of freight and merchandise or passengers, as designated.  
(1995 Code, § 8-46)

**§ 8-47 CROSSWALKS.**

It is unlawful for pedestrians to cross any roadway in a business district or any designated highway except in a crosswalk, if crosswalks have been marked on the roadways or highways. All crosswalks shall be marked to conform to the uniform system of traffic control devices.  
(1995 Code, § 8-47) Penalty, see § 8-84

**§ 8-48 RESTRICTIONS ON BACKING.**

The driver of any vehicle shall not back the vehicle into an intersection or over a crosswalk and shall not at any place back a vehicle against the current of traffic, except to back into a parking space.  
(1995 Code, § 8-48) Penalty, see § 8-84

**§ 8-49 DRIVING ON SIDEWALK RESTRICTED TO DRIVEWAYS.**

(A) The driver of any vehicle shall not drive over any sidewalk area except at a permanent or temporary driveway.

(B) No vehicle shall be driven over or across the curb of any street except as provided in this section.

(1995 Code, § 8-49) Penalty, see § 8-84

**§ 8-50 UNLAWFUL RIDING ON VEHICLES.**

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers; provided, however, that this section shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies.

(1995 Code, § 8-50) Penalty, see § 8-84

**§ 8-51 DRIVING VEHICLES ON SIDEWALKS OR PARKWAYS.**

It is unlawful and shall be deemed disorderly conduct for any person or persons to ride or drive any animal of any kind, or any cart, wagon, carriage, or motorcycle on any sidewalk or parkway; provided, however that this section shall not apply to baby carriages.

(1995 Code, § 8-51) Penalty, see § 8-84

**§ 8-52 GOLF CART/UV.**

(A) *Purpose.* The purpose of this section shall be to establish a golf cart/UV ordinance within the town to ensure the safety and the welfare of residents operating a golf cart/UV within the town.

(B) *Definitions.* For the purpose of this section, the following words and phrases shall have the following meanings.

***GOLF CART/UV.*** A vehicle designed and manufactured for operation on a golf course or for sporting or recreational purposes.

***DRIVER'S LICENSE.*** A valid license issued to operate a motor vehicle issued by Indiana or any other state.

***FINANCIAL RESPONSIBILITY.*** Liability insurance coverage on a golf cart/UV in an amount not less than required by Indiana law for a motor vehicle operated on public highways in the State of Indiana.

(C) *Manner of operation; general requirements.* No person shall operate a golf cart or utility vehicle in the town except as hereinafter provided.

(D) *Observance of traffic regulations mandatory.*

(1) All applicable Indiana state laws regarding motor vehicles shall be adhered to, including the possession and use of alcoholic beverages and illegal drugs.

(2) The operator of the golf cart/UV shall comply with all traffic rules and regulations adopted by the State of Indiana and the town which governs the operations of motor vehicles.

(E) *Permit required.*

(1) No golf cart/UV shall be operated in the town unless a permit from the Hope Town Marshal or his/her appointee has been issued to the resident owner of said golf cart/UV. The permit received from the town must be with the golf cart/UV whenever it is operated in the town. The permit is good for one calendar year within which it is issued and shall be renewed annually.

(2) The fee for said permit will be \$25 for initial inspection and permit and then the fee will be \$10 for each calendar year thereafter that the golf cart is registered. Prior to any initial or renewal permit being issued the golf cart/UV shall be inspected by the Hope Town Marshal or his/her appointee to make sure said golf cart/UV complies with the requirements set forth by the town and the State of Indiana. There shall be no permit issued if in the previous year the applicant was cited and convicted of any violations set forth by the town or the State of Indiana.

(3) *Lost or stolen permit/stickers are the responsibility of the owner.* A police report must be filed in the event of a lost or stolen permit/sticker. The Town Marshal will have the discretion in determining whether a permit/sticker may be re-issued in this instance. If no record can be found of a pervious application or a receipt of a permit/sticker the Town Marshal may direct the applicant to re-apply and also resubmit any and all fees necessary before a replacement permit/sticker may be issued.

(4) Any person who operates a golf cart/UV in the town and fails to receive and properly display a town permit/sticker will be subject to all applicable Indiana State laws in addition to being in violation of this section.

(5) Golf cart/UV owners must complete the attached registration form, waiver of liability form and provide a copy of the proof of liability insurance prior to the cart being inspected. The completed forms and proof of insurance will be maintained by the Town Marshal's Department.

(F) *Proof of liability insurance.* As part of the permit process, the resident owner of the golf cart/UV must provide proof of liability insurance before a permit will be issued. The proof of insurance must be with the golf cart whenever said golf cart/UV is in operation. Proof of insurance liability must be provided annually in order to renew the golf cart/UV permit.

(G) (1) *Standard equipment regulations.*

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(2) All golf carts/UVs shall be equipped with the following:

- (a) Brakes that are in good working condition.
- (b) DOT approved slow moving vehicle sign on the back of the golf cart/UV.
- (c) Golf cart/UV shall be equipped with a rear view mirror.
- (d) Golf carts/UVs shall be equipped with a manufacturer's serial number plate.
- (e) Golf cart/UV shall have front and rear reflectors.
- (f) Golf carts/UV shall have working head lights, tail lights and brake lights which are visible from a distance of 500 feet.
- (g) Any other equipment that may be defined by the State of Indiana and/or the town.

(H) *Times of operation.* Golf carts/UVs are prohibited on streets during inclement weather when visibility is reduced or impaired by weather, smoke, fog or other conditions or at any other time there is insufficient light to clearly see a person or vehicle on a roadway at a distance of 500 feet.

(I) (1) *Operation regulations.*

(2) The following regulations apply to the operation of a golf cart/UV within the town:

(a) Golf carts/UVs will adhere to all traffic flow patterns and will operate on the right side of the roadway.

(b) Operators of golf carts/UVs will adhere to all rules of the road applicable to motorized vehicles as set forth by the Indiana Bureau of Motor Vehicle. A golf cart/UV may be operated by persons who are:

1. At least 16 years of age and possess a valid driver's license.

2. If the operator is over the age of 16 years old and qualifies for a handicapped parking space they may operate a golf cart/UV on public streets upon the submission of a certificate signed by a licensed physician that the driver is able and capable to operate a motorized golf cart/UV on the roadways designated. The operator must have the certificate and handicap parking tag in their possession while operating a motorized golf cart/UV.

3. **UNDERAGE OPERATORS** are defined as follows: A person under the age of 16 years old may not legally drive a golf cart on any town streets, roadways or alleys.

(c) All riders in the golf cart must remain seated at all times.



(d) The number of occupants in a golf cart/UV shall be limited to the number of adult persons for whom individual seating is installed and provided on the golf cart/UV. The operator and all occupants shall be seated in the golf cart/UV and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart/UV while the vehicle is in motion.

(e) Children in golf carts/UVs must be accompanied by an adult driver and must follow all requirements of this subsection except the capacity limits as long as all children are seated and no part of the body of the child extends beyond the sides of the cart.

(J) *Sidewalks and adjacent areas.*

(1) No golf cart/UV shall be operated upon the public sidewalk nor shall they be operated upon that portion of the street located between the curb line and the sidewalk or property line referred to as the "parking" except for the purposes of crossing the same to a public street upon which operation is authorized by this chapter.

(2) Two golf carts/UVs may use one parking space provided they both park within the parking space lines.

(K) *Unlawful careless operations.* No person(s) shall operate a golf cart/UV in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

(L) *Towing.* No item shall be towed by a golf cart/UV. The only exception to this will be for town parades, festivals and special events.

(M) *Trespassing on private property.* Golf carts/UVs shall not be operated on private property without the permission and written consent of the property owner.

(N) *Exceptions.*

(1) All town employees are exempt from the above rules and regulations when using a golf cart/UV for town business.

(2) Exceptions will be made to the rules and regulations at the discretion of the Town Marshal during town parades, festivals and/or special events.

(O) (1) *Street upon which golf carts/UVs may be operated.*

(2) Golf carts/UVs may be operated on all of the town streets. Golf carts/UVs are prohibited on the following streets except to cross said street:

(a) State Road 9.

(b) Exception to this will be as follows: during town parades, festivals and special events.

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(1) Any act constituting a violation of this section or a failure to comply with any of its requirements shall subject the offender, upon conviction to a fine not to exceed \$250. Each day that any of the provisions of this section is violated shall constitute a separate offense and the subject will be charged an additional \$25 per day plus \$20 for court cost. Fees will be made payable to the town and paid to the Town Clerk.

(2) Any underage operator found to be using or operating a golf cart in violation of this section shall be referred to the Bartholomew County Juvenile Court.

**(Q) *Town liability.*** The town, Hope Town Council, Town of Hope Clerk-Treasurer, Hope Police Department and all Hope town employees will assume no liability after issuing of said golf cart/UV permit. The town cannot be held responsible for any operator actions while operating the golf cart/UV on town streets, roadways and/or alleys. The town cannot be held responsible for any deaths, injuries or any other damage that may occur from operator error or malfunction of the golf cart/UV on any street, roadway or alley in the town.

(Ord. 2014-05, passed 11-3-2014)

## ARTICLE 9: TRUCK REGULATIONS

### Section

- 8-55 Passing other vehicles prohibited
- 8-56 Trucks prohibited except on certain streets
- 8-57 Parking prohibited on streets; exception
- 8-58 Trucks prohibited parking on square

#### ***Cross-reference:***

*Speed limits, see Chapter 8, Article 2*

### **§ 8-55 PASSING OTHER VEHICLES PROHIBITED.**

It is unlawful for any truck over three-fourths ton to pass another moving vehicle on any street in the town.

(1995 Code, § 8-55) Penalty, see § 8-84

### **§ 8-56 TRUCKS PROHIBITED EXCEPT ON CERTAIN STREETS.**

No person shall operate a truck over three-fourths ton capacity on any street in the town, except upon South Street and Jackson Street; provided, however, that when absolutely necessary, the vehicles may be permitted for the sole purpose of loading and unloading when their destination is not accessible from the above described streets and routes.

(1995 Code, § 8-56) Penalty, see § 8-84

#### ***Statutory reference:***

*Authorization of local authorities to impose weight restrictions by passing ordinance, see I.C. 9-20-1-3*

### **§ 8-57 PARKING PROHIBITED ON STREETS; EXCEPTION.**

No person shall, at any time, park any truck, tractor, or trailer over three-fourths ton on any of the streets of the town unless to load or unload the contents thereof.

(1995 Code, § 8-57) Penalty, see § 8-84

**§ 8-58 TRUCKS PROHIBITED PARKING ON SQUARE.**

No person shall, at any time, park any truck, tractor, or trailer over one and one-half tons in the parking area at the town square except for the purpose of loading or unloading or to conduct personal business requiring less than two hours' time.

(1995 Code, § 8-58) Penalty, see § 8-84

**ARTICLE 10: ABANDONED VEHICLES AND IMPOUNDMENT PROCEDURES**

## Section

- 8-65 Purpose
- 8-66 Designation; removal
- 8-67 Storage
- 8-68 Towing and storage fees
- 8-69 Immediate impoundment and special events

**§ 8-65 PURPOSE.**

I.C. 9-22-1-29 authorizes the town to enact provisions concerning the disposition of abandoned vehicles. For the purposes of this article, the term **ABANDONED VEHICLE** shall be defined as set forth by I.C. 9-13-2-1, and shall include a vehicle that is at least three model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than 20 days.

(1995 Code, § 8-65) (Ord. 99-08, passed 8-16-1999)

**§ 8-66 DESIGNATION; REMOVAL.**

(A) Whenever a police officer of the town finds a vehicle to be an abandoned vehicle, he or she shall:

(1) Attach to it a notice to remove pursuant to I.C. 9-22-1-11 and 9-22-1-15. A copy of the notice shall be placed in the door of a residence or building located on the property. If in the opinion of the police officer the market value of an abandoned vehicle is at least \$500, the officer shall make a reasonable effort to ascertain the person who owns or controls the vehicle; and

(2) At the time of attaching the notice, the officer shall photograph the vehicle, and shall record the vehicle identification number of the vehicle, if possible.

(B) The Police Department is authorized to order the removal of any abandoned vehicle within the town which has not been removed within the time provided by the above notice. Any vehicle removed pursuant to this article may be removed by the Police Department or by a commercial towing firm; the town may enter into any contracts with commercial towing firms or with garages for necessary removal and storage services. The Police Department shall prepare or cause to be prepared any required

abandoned vehicle report including the condition, missing parts, or other facts that might substantiate the estimated market value of the vehicle; and shall take or cause to be taken photographs to describe the condition of the vehicle.

(1995 Code, § 8-66) (Ord. 99-08, passed 8-16-1999)

#### **§ 8-67 STORAGE.**

(A) Any vehicle removed pursuant to this article shall be impounded until lawfully claimed or disposed of in accordance with the state law. If in the opinion of the police officer the market value of the abandoned vehicle is less than \$500, the officer shall immediately dispose of the vehicle to an automobile scrap yard. Copies of the abandoned vehicle report and photographs shall be forwarded to the Bureau of Motor Vehicles.

(B) An impounded vehicle shall be stored at a garage of the town, or in a privately owned garage designated by the town. Notice of the impoundment shall be given in accordance with the state law.  
(1995 Code, § 8-67) (Ord. 99-08, passed 8-16-1999)

#### **§ 8-68 TOWING AND STORAGE FEES.**

(A) The owner or lien holder, or the authorized representative of an owner or lien holder, of any abandoned vehicle which has been removed and impounded pursuant to this article may appear and claim the vehicle before disposal. The removal and storage fees for an impounded vehicle shall be in accordance with the following schedule:

- (1) Towing: actual costs plus \$25; and
- (2) Storage of vehicles: actual costs plus \$25.

(B) Upon payment of the above fees and proof of entitlement, the vehicle shall be released to the claimant.

(C) The above schedule of fees shall be filed with the Bureau of Motor Vehicles as required by statute.

(1995 Code, § 8-68) (Ord. 99-08, passed 8-16-1999)

#### **§ 8-69 IMMEDIATE IMPOUNDMENT AND SPECIAL EVENTS.**

Whenever the presence of a vehicle in a public place constitutes an immediate hazard to the public safety, including, but not limited to, vehicles parked so as to obstruct traffic or movement during special events of the town, a police officer of the town may cause the vehicle to be impounded immediately and within 24 hours shall send notice of the impoundment by certified mail to the owner of the vehicle, if

known, stating the fact that the vehicle has been impounded, the location thereof, and the right of the owner to secure possession of the vehicle upon payment of the fees as set forth in § 8-68. (1995 Code, § 8-69) (Ord. 99-08, passed 8-16-1999)





## ARTICLE 11: BICYCLES AND SKATEBOARDS

### Section

8-75 Bicycling, skateboarding, or skating on sidewalks prohibited

8-76 Secondhand dealer report

#### ***Statutory reference:***

*Definition of bicycles and related equipment, see I.C. 9-13-2-4*

### **§ 8-75 BICYCLING, SKATEBOARDING, OR SKATING ON SIDEWALKS PROHIBITED.**

It is unlawful for any person to ride or to use upon any of the sidewalks around the Town Square any bicycle, skateboard, or skates. Violators of this section shall be governed by the provisions of § 1-9 of this code.

(1996 Code, § 8-75) (Ord. 1995-09, passed 12-18-1995; Ord. 2005-02, passed 7-18-2005)

#### ***Statutory reference:***

*Regulation of bicycles, including licensing and registration fees, see I.C. 9-21-11-1 et seq.*

### **§ 8-76 SECONDHAND DEALER REPORT.**

All persons engaged in the business of buying secondhand bicycles are required to make a report to the Town Marshal giving the name and address of the person from whom each bicycle is purchased, the description of each bicycle purchased, the frame number, and the number of the metallic license plate found thereon, if any.

(1995 Code, § 8-76)



**ARTICLE 12: PENALTIES**

Section

- 8-80 Authority of Police and Fire Department officials
- 8-81 Notice on illegally parked vehicle
- 8-82 Failure to comply or destroying notice
- 8-83 Disposition of traffic fines and forfeitures
- 8-84 Violation; penalty

**§ 8-80 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS.**

It shall be the duty of the officers of the Police Department of the town to enforce the provisions of the Traffic Code and all state laws applicable to street traffic in the town. Officers of the Police Department are authorized to direct all traffic either in person or by means of visible or audible signal in the conformance with all traffic laws and ordinances; provided, that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police or Fire Department may direct traffic, as conditions may require, notwithstanding the provisions of the Traffic Code.  
(1995 Code, § 8-80)

**§ 8-81 NOTICE ON ILLEGALLY PARKED VEHICLE.**

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by the Traffic Code and other ordinances relating to traffic, then the officer finding the vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its owner or user, and shall conspicuously affix to the vehicle a notice in writing on a triplicate form provided by the Town Clerk-Treasurer for the driver to answer to the charge against him or her within five days, during the hours and at the place specified in the notice, or to pay the penalty provided for in the notice. The officer shall retain one copy of the notice and send one copy to the Traffic Violations Bureau.  
(1995 Code, § 8-81)

**§ 8-82 FAILURE TO COMPLY OR DESTROYING NOTICE.**

(A) If a violator does not appear in response to the notice affixed to the vehicle as provided in § 8-81 within a period of five days, or pay the penalty required therein, a complaint shall be filed and a warrant of arrest issued.

(B) No person, whether the recipient thereof or otherwise, shall willfully throw away, alter, mar, mutilate, destroy, or discard the notice of violation without proper authorization.  
(1995 Code, § 8-82) Penalty, see § 8-84

**§ 8-83 DISPOSITION OF TRAFFIC FINES AND FORFEITURES.**

All fines or forfeitures collected upon conviction or upon forfeiture of bail of any person charged with a violation of the provisions of the Traffic Code shall be paid to the Clerk-Treasurer and deposited in the General Fund, except in those instances when the violator is charged under state law.  
(1995 Code, § 8-83)

**§ 8-84 VIOLATION; PENALTY.**

(A) Any person violating the provisions of Article 11, unless specified otherwise therein, shall, upon conviction, be fined \$25.

(B) Any person violating the provisions of Article 7, unless specified otherwise herein, shall, upon conviction, be fined \$25.

(C) Any person violating the provisions of any other article of this chapter shall, upon conviction, be fined \$25.  
(1995 Code, § 8-84) (Ord. 99-03, passed 2-15-1999)