

CHAPTER 70: GENERAL PROVISIONS

Section

General Provisions

- 70.01 Short title
- 70.02 Application
- 70.03 Purpose
- 70.04 Definitions
- 70.05 Enforcement by Town Marshal
- 70.06 Authority of Police and Fire Department personnel
- 70.07 Obedience to traffic code required
- 70.08 Application to persons propelling pushcarts, riding animals
- 70.09 Public employees to obey traffic code regulations
- 70.10 Exemptions for authorized emergency vehicles
- 70.11 Motor vehicle inspection; fee

Traffic-Control Devices

- 70.20 Authority to install
- 70.21 Manual and specifications
- 70.22 Designation of crosswalks
- 70.23 Designation of traffic lanes
- 70.24 Emergency devices
- 70.25 When required for enforcement purposes
- 70.26 Presumption of legality
- 70.27 Interference with devices prohibited

Traffic Accidents

- 70.35 Written reports of accidents required
- 70.36 When driver unable to report
- 70.37 Reports are confidential
- 70.38 Town Marshal to keep files of accident reports
- 70.39 Annual traffic safety report

Violations

- 70.50 Records of traffic violations
- 70.51 Disposition of traffic fines and forfeitures
- 70.52 Town Attorney to prosecute violators

- 70.99 Penalty

TITLE VII: TRAFFIC CODE

Chapter

- 70. GENERAL PROVISIONS**
- 71. TRAFFIC RULES**
- 72. STOPPING, STANDING AND PARKING**
- 73. BICYCLES**

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GENERAL PROVISIONS**§ 70.01 SHORT TITLE.**

This title may be known and cited as the town Traffic Code.

§ 70.02 APPLICATION.

The provisions of this traffic code relating to the operation of vehicles refer exclusively to the operation of vehicles upon streets and municipally operated property, except where a different place is specifically referred to in a given section.

§ 70.03 PURPOSE.

This traffic code shall be interpreted and construed as to effect its general purpose to make uniform the laws of the town.

§ 70.04 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A street intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

AUTHORIZED EMERGENCY VEHICLE.

(1) Vehicles of the Fire Department, police vehicles, and ambulances and other emergency vehicles operated by or for hospitals, or health and hospital corporations under IC 16-12-21.

(2) Vehicles other than ambulances which are owned by persons, firms, or corporations other than hospitals, and are used in emergency service, may be designated as emergency vehicles if they are authorized to operate as such by the State Department of Highways as provided in this definition. The Department is authorized and empowered to designate and authorize the operation of other emergency vehicles pursuant to rules the Department may prescribe.

(3) Motor vehicles that are approved by the State Emergency Medical Services Commission that are:

(a) Ambulances that are owned by persons, firms, or corporations other than hospitals; or

(b) Not ambulances and provide emergency medical services, including extrication and rescue services (as defined in IC 16-1-39-2). The Commission may not withhold approval of a motor vehicle because the vehicle is not affiliated with a hospital, law enforcement agency or fire department. (IC 9-4-1-2(d))

BICYCLE. Any foot-propelled vehicle, regardless of the number of wheels in contact with the ground.

BUSINESS DISTRICT. The territory contiguous to and including a highway when 50% or more of the frontage thereon for a distance of 500 feet or more is occupied by buildings in use for business.

CROSSWALK. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway. Any portion of a roadway, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface.

DRIVER. Every person who drives or is in actual physical control of a vehicle.

HOLIDAY. The following days of the year shall be designated as holidays: The first day of January (commonly known as New Year's Day); the last Monday of May (commonly known as Memorial Day); July 4 (commonly known as Independence Day); the first Monday of September (commonly known as Labor Day); the fourth Thursday of November (commonly known as Thanksgiving Day); and December 25 (commonly known as Christmas Day).

INTERSECTION. The area embraced within the prolongation or connection of the lateral curb lines or, if none, the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. The junction of any alley with a street shall not constitute an **INTERSECTION**.

LOADING ZONE. A space reserved for the exclusive use of vehicles during the loading or unloading of passengers or property.

OFFICER or **POLICE OFFICER.** Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

OFFICIAL TIME STANDARD. Standard time or daylight-saving time, as may be in current use in the town.

OFFICIAL TRAFFIC-CONTROL DEVICES. All signs, signals, markings, and devices including railroad advance warning signs, not inconsistent with this traffic code, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

PARK or **PARKING.** The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

PARKING SPACE or **PARKING PLACE.** A designated portion of the surface of a street of sufficient length and depth to accommodate a vehicle of reasonable dimensions to be parked. The designated portion shall be specified and marked off as provided in this traffic code.

PEDESTRIAN. Any person afoot.

PERSON. Every natural person, firm, copartnership, association, or corporation.

RESIDENCE DISTRICT. The territory contiguous to and including a highway not comprising a business district, when the property on such highway for a distance of 500 feet or more is in the main improved with residences or residences and buildings in use for business.

RIGHT-OF-WAY. The privilege of the immediate use of the highway.

ROADWAY. That portion of a highway improved, designed, or ordinarily used for vehicular travel.

SIDEWALK. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

STAND or STANDING. The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

STATE LAW. Indiana laws regulating and relating to motor vehicles and their operation.

STOP or STOPPING. Complete cessation from movement. When prohibited, **STOP** means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

STREET or HIGHWAY. The entire width between boundary lines of every way publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel.

TOWN COUNCIL. A simple majority vote of the Town Council of the town.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, either singly or together, while using any highway for purposes of travel.

TRUCK. Every motor vehicle designed, used or maintained primarily for the transportation of property.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(IC 9-4-1-1 et seq.)

§ 70.05 ENFORCEMENT BY TOWN MARSHAL.

It shall be the duty of the Town Marshal and deputies to enforce the street traffic regulations of this town and all of the state laws, make arrests for traffic violations, assist in the prosecution of those persons charged with violations of this chapter, investigate accidents, cooperate with officials of the town in administration of the traffic laws and in developing ways to improve traffic conditions, and carry out those duties specially imposed upon the Town Marshal and deputies by the traffic ordinances of this town and state law.

§ 70.06 AUTHORITY OF POLICE AND FIRE DEPARTMENT PERSONNEL.

(A) The Town Marshal and deputies, or such deputies as are assigned by the Town Marshal, are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, the Town Marshal and deputies may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

(B) Officers of the Fire Department, when at the scene of a fire, may direct traffic in the immediate vicinity of a fire or fire equipment. If the Town Marshal or a deputy is at the scene of a fire, officers of the Fire Department shall not contradict the actions of the Town Marshal or deputy as they relate to traffic.

(C) School crossing guards are authorized to direct traffic at a designated school crossing during periods of arrival or departure of school children.

§ 70.07 OBEDIENCE TO TRAFFIC CODE REQUIRED.

It is unlawful and a violation for any person to do any act forbidden, or fail to perform any act required, in this chapter.

Penalty, see § 70.99

§ 70.08 APPLICATION TO PERSONS PROPELLING PUSHCARTS, RIDING ANIMALS.

Every person propelling a pushcart, riding an animal, or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except those provisions which by their very nature can have no application.

§ 70.09 PUBLIC EMPLOYEES TO OBEY TRAFFIC CODE REGULATIONS.

(A) The provisions of this traffic code shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any political subdivision of the state, subject to such specific exceptions as are set forth in this traffic code or in the state vehicle code with reference to authorized emergency vehicles. (IC 9-21-1-6)

(B) Unless specifically made applicable, the provisions of this traffic code shall not apply to persons, motor vehicles, and other equipment while actually engaged in work on the surface of a highway, but shall apply to such persons and vehicles when traveling to or from work. (IC 9-21-1-7)

§ 70.10 EXEMPTIONS FOR AUTHORIZED EMERGENCY VEHICLES.

(A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding, but not upon returning from a fire alarm, may exercise the privileges set forth in this chapter, but subject to the conditions herein stated.

(B) The driver of an authorized emergency vehicle may:

- (1) Park or stand, regardless of the provisions of this traffic code;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the maximum speed limits so long as life or property are not endangered;
- (4) Disregard regulations governing direction of movement or turning in specified directions.

(C) The exemptions herein granted to an authorized emergency vehicle shall apply only when the vehicle is making use of audible or visual signals meeting the requirements of law. An authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red or blue light visible from in front of the vehicle.

(D) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall they protect the driver from the consequences of his or her reckless disregard for the safety of others.
(IC 9-21-1-8)

§ 70.11 MOTOR VEHICLE INSPECTION; FEE.

(A) IC 9-29-4-2 provides a fee may be charged by a law enforcement agency for the inspection of a motor vehicle required under IC 9-17-2-12.

(B) That fee shall be \$5 per inspection of each vehicle or title and that those fees shall be deposited in a special vehicle inspection fund. The special vehicle inspection fund is hereby created and the Town Clerk-Treasurer is hereby designated to establish that fund. The Town Council shall appropriate the fees collected in the fund only for law enforcement purposes either at the request of the Chief of Police or the Council. That appropriation for a specific law enforcement purpose shall be made solely at the discretion of the Council.

TRAFFIC-CONTROL DEVICES

§ 70.20 AUTHORITY TO INSTALL.

The Town Council shall place and maintain official traffic-control devices when and as required under the traffic ordinances of this town to make effective the provisions of the ordinances. It may deem necessary to regulate, warn, or guide traffic under the traffic ordinances of this town or the state vehicle laws.

Statutory reference:

Local traffic-control devices, see IC 9-21-4-3

§ 70.21 MANUAL AND SPECIFICATIONS.

All traffic-control signs, signals and devices to be installed after the effective date of this chapter

shall conform to the then current Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. All signs and signals required hereunder for a particular purpose shall be uniform as to type and location through the town. All traffic-control devices so erected, and not inconsistent with the provisions of state law or this traffic code, shall be official traffic-control devices.

Statutory reference:

State to adopt traffic-devices manual, see IC 9-21-4-1

§ 70.22 DESIGNATION OF CROSSWALKS.

The Town Council is hereby authorized to designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections, where in its opinion, there is particular danger to pedestrians crossing the roadway, and at other places as it may deem necessary.

§ 70.23 DESIGNATION OF TRAFFIC LANES.

The Town Council is hereby authorized to mark traffic lanes upon the roadway of any street or highway under the jurisdiction of the town.

§ 70.24 EMERGENCY DEVICES.

The Town Marshal is authorized to temporarily place official traffic-control devices when required by an emergency. The Marshal shall notify the President of the Town Council of his or her actions as soon thereafter as is practicable. The official traffic-control devices shall not remain longer than 30 days unless authorized by the Council.

§ 70.25 WHEN REQUIRED FOR ENFORCEMENT PURPOSES.

No provision of this chapter for which official traffic-control devices are required shall be enforced if, at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, the section shall be effective even though no devices are in place.

§ 70.26 PRESUMPTION OF LEGALITY.

Whenever official traffic-control devices are placed in positions approximately conforming to the requirements of this chapter the devices shall be presumed to have been so placed by the official act or direction of lawful authority, and shall be presumed to comply with the requirements of this chapter unless the contrary is established by competent evidence.

§ 70.27 INTERFERENCE WITH DEVICES PROHIBITED.

No person shall, without lawful authority, attempt to or in fact alter, damage, or remove any official traffic-control device or any railroad sign or signal.

Penalty, see § 70.99

TRAFFIC ACCIDENTS**§ 70.35 WRITTEN REPORTS OF ACCIDENTS REQUIRED.**

The driver of a vehicle involved in an accident resulting in injury to or death of any person, or apparent property damage to an apparent extent of \$750 or more shall, within ten days after the accident, forward a written report of it to the Town Marshal, unless the accident was investigated immediately by the Town Marshal or deputy.

Penalty, see § 70.99

Statutory reference:

Written reports required in accidents involving injury or death, see IC 9-26-1-1

Written reports required in accidents involving property damage, see IC 9-26-1-2

Authority of municipalities to require accident reports, see IC 9-26-3

§ 70.36 WHEN DRIVER UNABLE TO REPORT.

Whenever the driver of a vehicle is physically incapable of making an immediate or a written report of an accident as required in § 70.35, and there was another occupant in the vehicle at the time of the accident capable of making such a report, the occupant shall make or cause to be made the report not made by the driver. If there was no other occupant and if the driver is not the owner of the vehicle, the owner of the vehicle involved in the accident shall, within five days after the accident, make the report not made by the driver.

(IC 9-26-1-6) Penalty, see § 70.99

§ 70.37 REPORTS ARE CONFIDENTIAL.

(A) This section does not apply to accident reports filed by a law enforcement officer.

(B) All written accident reports made by drivers or owners of vehicles involved in accidents, as required in § 70.35, shall be without prejudice to the individual so reporting, and shall be for the confidential use of the Town Marshal's Office or other governmental agencies having use of the records for accident prevention purposes. However, the Marshal may disclose the identity of a person involved in an accident when the identity is not otherwise known, or when the person denies his or her presence at the accident. No report shall be used as evidence in any trial, civil or criminal, arising out of any accident, except the Marshal shall furnish upon demand of any person who has, or claims to have, made a report or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Marshal, solely to prove a compliance or a failure to comply with the requirements that such a report be made.

(IC 9-26-3-4)

§ 70.38 TOWN MARSHAL TO KEEP FILES OF ACCIDENT REPORTS.

The Town Marshal's Office shall maintain a suitable system of filing traffic accident reports.

§ 70.39 ANNUAL TRAFFIC SAFETY REPORT.

The Town Marshal's Office shall annually prepare a traffic report which shall be filed with the Town Council. The report shall contain information on traffic matters in this town as follows:

(A) The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data;

(B) The number of traffic accidents investigated and other pertinent data on the safety activities of the Marshal's Office; and

(C) Any plans and recommendations of the Marshal for future traffic safety activities.

VIOLATIONS

§ 70.50 RECORDS OF TRAFFIC VIOLATIONS.

(A) The Town Marshal's Office shall keep a record of all violations of the traffic ordinances of this town or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. This record shall be maintained so as to show all types of violations and the total of each. This record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

(B) All forms for records of violations and notices of violations shall be serially numbered. For each month and year, a written record shall be kept available to the public showing the disposal of all such forms.

(C) All such records and reports shall be public records.

§ 70.51 DISPOSITION OF TRAFFIC FINES AND FORFEITURES.

(A) All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this traffic code shall be paid into the town treasury and deposited in the General Fund.

(B) Failure, refusal or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture, either before or after a deposit in the General Fund, to comply with the foregoing provisions of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

§ 70.82 TOWN ATTORNEY TO PROSECUTE VIOLATORS.

The Town Attorney or the Attorney's duly appointed deputy is authorized to prosecute all charges of violation of this chapter.

§ 70.99 PENALTY.

(A) Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than \$100. Upon conviction of a third or subsequent offense committed within one year after the date of the first offense, the penalty shall be a fine of not more than \$1,000.

(B) In lieu of appearing before a court of competent jurisdiction, the person so charged may pay within five days to the Town Clerk-Treasurer for the benefit of the General Fund of the town, the sum of \$25 for the first or second offense committed within one year.

CHAPTER 71: TRAFFIC RULES

Section

General Provisions

- 71.01 Coasters, roller skates, and the like; use on streets
- 71.02 Entering intersection without sufficient space on other side prohibited
- 71.03 Boarding, alighting from vehicle
- 71.04 Unlawful riding
- 71.05 Driving on sidewalks
- 71.06 Containment of loads required

Speed Limits

- 71.15 State speed laws applicable
- 71.16 Speed limits in alleys

Turning Movements

- 71.30 Authority to regulate with official traffic-control devices
- 71.31 U-turns

Stop and Yield Intersections

- 71.40 Designation of stop and yield intersections
- 71.41 Vehicle entering street from alley

Funeral and Other Processions

- 71.50 Drivers in procession
- 71.51 When permit required
- 71.52 Town Marshal to designate method of identifying funeral processions

GENERAL PROVISIONS

§ 71.01 COASTERS, ROLLER SKATES, AND THE LIKE; USE ON STREETS.

No person upon roller skates or riding in or by means of any coaster, sled, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk. When so crossing, the person shall be granted all of the rights and be subject to all of the duties applicable to pedestrians. Penalty, see § 70.99

§ 71.02 ENTERING INTERSECTION WITHOUT SUFFICIENT SPACE ON OTHER SIDE PROHIBITED.

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.

Penalty, see § 70.99

§ 71.03 BOARDING, ALIGHTING FROM VEHICLE.

No person shall board or alight from any vehicle while that vehicle is in motion.

Penalty, see § 70.99

§ 71.04 UNLAWFUL RIDING.

No person shall ride on any vehicle on any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in space intended for merchandise.

Penalty, see § 70.99

§ 71.05 DRIVING ON SIDEWALKS.

No person shall drive any vehicle on a sidewalk or sidewalk area, except on a permanent or duly authorized temporary driveway.

Penalty, see § 70.99

§ 71.06 CONTAINMENT OF LOADS REQUIRED.

Any person hauling stone, oil, rubbish or any other material shall see that the vehicle is of adequate dimensions and tight, so no material shall fall from the vehicle. Any material falling from a vehicle shall be promptly removed from the street by the driver, who shall be responsible for any damage done.

Penalty, see § 70.99

SPEED LIMITS**§ 71.15 STATE SPEED LAWS APPLICABLE.**

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this town, except as this traffic code, as authorized by state law, declares and determines upon the basis of an engineering and traffic investigation, that certain speed regulations shall be applicable upon specified

streets or in certain areas. In that event, it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so determined, when signs are in place giving notice thereof.

Penalty, see § 70.99

Statutory reference:

Authority to alter state speed limits, see IC 9-4-1-58

§ 71.16 SPEED LIMITS IN ALLEYS.

Except when a special hazard exists that requires a lower speed for compliance with state law, the maximum lawful speed in an alley shall be 15 miles per hour. No person shall drive a vehicle in an alley in excess of that limit.

Penalty, see § 70.99

TURNING MOVEMENTS

§ 71.30 AUTHORITY TO REGULATE WITH OFFICIAL TRAFFIC-CONTROL DEVICES.

The Town Council is authorized to place official traffic-control devices, within or adjacent to intersections, indicating the course to be traveled by vehicles turning at those intersections. The course to be traveled as so indicated may conform to or be other than as prescribed by law.

Penalty, see § 70.99

Statutory reference:

Authority to regulate or prohibit the turning of vehicles at intersections, see IC 9-4-1-28

§ 71.31 U-TURNS.

The driver of any vehicle shall not turn that vehicle so as to proceed in the opposite direction upon any street in a business district.

Penalty, see § 70.99

STOP AND YIELD INTERSECTIONS

§ 71.40 DESIGNATION OF STOP AND YIELD INTERSECTIONS.

The Town Council is authorized to determine and designate intersections where a particular hazard exists and to determine whether vehicles shall stop at one or more entrances to such an intersection (in which event the Council shall have erected a stop sign at every such place where a stop is required); or whether vehicles shall yield the right-of-way to vehicles on a different street at such an intersection, in obedience thereto as required.

Statutory reference:

Authority to establish stop, yield intersections, see IC 9-4-1-28

§ 71.41 VEHICLE ENTERING STREET FROM ALLEY.

The driver of a vehicle about to enter a street from an alley shall yield the right-of-way to any vehicles or pedestrians approaching on the street.

Penalty, see § 70.99

FUNERAL AND OTHER PROCESSIONS**§ 71.50 DRIVERS IN PROCESSION.**

Each driver in a funeral or other procession shall drive as near to the right edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

Penalty, see § 70.99

Statutory reference:

Funeral processions, see IC 9-4-1.5-1 et seq.

§ 71.51 WHEN PERMIT REQUIRED.

No procession or parade except funeral processions, the United States Armed Forces, the military forces of this state and the forces of the Police and Fire Departments shall occupy, march, or proceed along any street, except in accordance with a permit issued by the Town Marshal's Office and such other regulations as are set forth which may apply.

Penalty, see § 70.99

§ 71.52 TOWN MARSHAL TO DESIGNATE METHOD OF IDENTIFYING FUNERAL PROCESSIONS.

The Town Marshal shall determine the method of identification for funeral processions as required by IC 9-4-1.5-4(c).

CHAPTER 72: STOPPING, STANDING AND PARKING

Section

Parking Prohibitions

- 72.01 Parking so as to obstruct traffic prohibited
- 72.02 Parking in alleys
- 72.03 Parking for purposes of display or repair
- 72.04 Disobedience to parking signs prohibited
- 72.05 Stopping or parking in lane of traffic
- 72.06 Stopping, parking on other than road or shoulder prohibited
- 72.07 Parking or standing in loading zones
- 72.08 Parking of buses or trucks in residential or business districts

Bus Stops; Taxi Stands

- 72.20 Town to designate location
- 72.21 Unauthorized use of bus stop or taxi stand
- 72.22 Use of bus stop by bus

Violations

- 72.30 Removal of illegally parked vehicle
- 72.31 Citation of illegally parked vehicle
- 72.32 Presumption that vehicle is illegally parked

- 72.99 Penalty

Statutory reference:

Authority to regulate stopping, standing, and parking, see IC 9-4-1-28

PARKING PROHIBITIONS

§ 72.01 PARKING SO AS TO OBSTRUCT TRAFFIC PROHIBITED.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

Penalty, see § 72.99

§ 72.02 PARKING IN ALLEYS.

(A) It shall be unlawful for the operator of any vehicle to stop, stand, or park the vehicle in any alley for a period of time longer than is necessary for the loading or unloading of passengers or freight. No vehicle shall stand or park in any alley for any such purpose so as to leave available less than eight feet of the width of the alley for the free movement of traffic, or if less than eight feet of width of the alley is available, the operator of the parked or standing vehicle shall immediately move it upon the approach of another vehicle.

(B) No person shall stop, stand, or park a vehicle on a street in any manner which would restrict full access to any alley.

Penalty, see § 72.99

§ 72.03 PARKING FOR PURPOSES OF DISPLAY OR REPAIR.

No person shall park a vehicle upon any roadway for the principal purpose of displaying the vehicle for sale, or for greasing or repairing the vehicle, except repairs necessitated by an emergency.

Penalty, see § 72.99

§ 72.04 DISOBEDIENCE TO PARKING SIGNS PROHIBITED.

At locations officially signed or marked for parking on the streets or in municipal parking lots, no person shall park or stand a vehicle other than within any markings and at the orientation indicated by such signs or markings.

Penalty, see § 72.99

§ 72.05 STOPPING OR PARKING IN LANE OF TRAFFIC.

No person shall stop, stand or park a vehicle in a lane of traffic not designed for parking unless directed to do so by a Police Officer or official traffic-control device, unless waiting to enter a parking space, or unless necessitated by mechanical failure.

Penalty, see § 72.99

§ 72.06 STOPPING, PARKING ON OTHER THAN ROAD OR SHOULDER PROHIBITED.

No person shall stop, stand or park a vehicle on a street other than on the roadway or paved shoulder.

Penalty, see § 72.99

§ 72.07 PARKING OR STANDING IN LOADING ZONES.

No person shall stop, stand or park a vehicle for any purpose or period of time, other than for the expeditious loading or unloading of passengers or materials, in any place marked as a loading zone

during hours and days when the regulations applicable to that curb loading zone are effective, and then only for a period not to exceed three minutes for passengers or 20 minutes for materials.

Penalty, see § 72.99

§ 72.08 PARKING OF BUSES OR TRUCKS IN RESIDENTIAL OR BUSINESS DISTRICTS.

(A) Residential districts. No person owning, leasing, possessing or operating a truck, trailer, bus, tractor, or tractor and trailer, which is taller, wider, and longer than a conventional station wagon, pickup truck, or van, except a bus used for school purposes in a bus zone, shall be permitted to park the same upon any street or alley within the residential district of the corporate limits of the town. However, the vehicles may be parked for a sufficient time to make deliveries or pick up merchandise, provided such parking does not interrupt the regular flow of traffic and does not create a hazard for the safety of others.

(B) Business districts. In the business district, no truck, bus or recreational vehicle which is taller, wider and longer than a conventional station wagon or pick-up truck shall park upon any street or alley within the corporate limits of the town longer than one hour. However, the vehicles may be parked for a sufficient time to make deliveries or pick up merchandise in the regular course of business, provided the parking does not interrupt the regular flow of traffic does not create a hazard for the safety of others and provided complies with all other parking regulations in force in the town.

(C) Notwithstanding the provisions of divisions (A) or (B) above, a truck or bus may be parked upon a street in a business or residential district after obtaining written permission from the Town Marshal, which shall stipulate the location and length of time the vehicle may be parked.

Penalty, see § 72.99

BUS STOPS; TAXI STANDS

§ 72.20 TOWN TO DESIGNATE LOCATION.

The Town Council is hereby authorized to establish bus stops and taxi stands on public streets, in places and numbers as they shall determine to be of the greatest benefit and convenience to the public. Every bus stop or taxi stand shall be designated by appropriate signs.

§ 72.21 UNAUTHORIZED USE OF BUS STOP OR TAXI STAND.

No person shall stand or park a vehicle other than a bus in a bus stop or other than a taxi in a taxi stand when such stops have been officially designated and appropriately signed. However, the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxi entering, occupying or departing that stop.

Penalty, see § 72.99

§ 72.22 USE OF BUS STOP BY BUS.

The operator of a bus shall enter a bus stop on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of the vehicle not farther than 18 inches from the curb. The bus shall be approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

Penalty, see § 72.99

VIOLATIONS**§ 72.30 REMOVAL OF ILLEGALLY PARKED VEHICLE.**

Whenever any Police Officer finds a vehicle standing upon a street in violation of any provision of this chapter, the officer is hereby authorized to require the driver or other person in charge of the vehicle to remove it to a position off the paved, improved, or main-traveled part of the street. However, if any person so directed shall fail or refuse to move the vehicle or if the vehicle is unattended, the Officer is hereby authorized to provide for the removal of the vehicle to the nearest available garage or other place of safety.

Statutory reference:

Authority to remove illegally parked vehicles, see IC 9-4-1-113

§ 72.31 CITATION OF ILLEGALLY PARKED VEHICLE.

(A) Whenever any motor vehicle without a driver is found parked, standing, or stopped in violation of any of the restrictions imposed by ordinance of the town or by state law, the officer finding the vehicle shall take its registration number; take any other information displayed on the vehicle which may identify its user; and conspicuously affix to the vehicle a traffic citation on a form provided by the Town Clerk-Treasurer, for the driver to answer to the charge against him within five days, during the hours and at a place specified in the citation.

(B) If a violator of the restrictions on stopping, standing, or parking under the traffic laws does not appear in response to a traffic citation affixed to his motor vehicle within a period of five days, the Clerk-Treasurer shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him or her of the violation and warning that, in the event the letter is disregarded for a period of five days, a warrant of arrest will be issued.

§ 72.32 PRESUMPTION THAT VEHICLE IS ILLEGALLY PARKED.

In any prosecution charging a violation of any law governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law together with proof that the defendant named in the complaint was, at the time of the parking, the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

§ 72.99 PENALTY.

Every person convicted of a violation of any parking provision of this traffic code shall be punished by a fine of not more than \$100. In lieu of appearing before a court of competent jurisdiction, the person so charged may pay, within five days to the Town Clerk-Treasurer for the benefit of the General Fund of the town, the sum of \$10.

CHAPTER 73: BICYCLES

Section

- 73.01 Responsibility of parent or guardian
- 73.02 Application of regulations
- 73.03 Parking
- 73.04 Riding on sidewalks
- 73.05 Riding on roadways or bicycle paths
- 73.06 License and license tags

- 73.99 Penalty

§ 73.01 RESPONSIBILITY OF PARENT OR GUARDIAN.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit that child or ward to violate any of the provisions of this chapter.

Penalty, see § 73.99

§ 73.02 APPLICATION OF REGULATIONS.

(A) The provisions of this chapter applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

(B) Every person riding a bicycle upon a roadway shall be granted all of the rights and be subject to all of the duties applicable to the driver of a vehicle by this title, except as set forth in special regulations in this chapter, and except as to those provisions of this traffic code which, by their nature, can have no application.

§ 73.03 PARKING.

No person shall park a bicycle upon a street other than upon the roadway against the curb, at the curb in such a manner as to afford the least obstruction to pedestrian traffic or in a bicycle rack provided to support the bicycle. No bicycle shall be parked upon the sidewalk against a building, laid down upon the sidewalk, or parked against or secured to any fire hydrant.

Penalty, see § 73.99

§ 73.04 RIDING ON SIDEWALKS.

(A) No person shall ride a bicycle upon a sidewalk within a business district.

(B) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian.

Penalty, see § 73.99

§ 73.05 RIDING ON ROADWAYS OR BICYCLE PATHS.

(A) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use that path and shall not use the roadway.

Penalty, see § 73.99

§ 73.06 LICENSE AND LICENSE TAGS.

(A) No person who resides within the town shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless the bicycle has been licensed and a license tag is attached thereto as provided herein.

(B) Application for a bicycle license and license tag shall be made upon a form provided by the town and shall be made to the Town Marshal. The license tag shall be a permanent tag and a fee of \$1 shall be paid to the town before each license is granted.

(C) If any license and tag issued under this chapter is lost, stolen or removed from any bicycle, a replacement license or tag may be issued after making application therefor to the Marshal. Application for a replacement license shall also be filed within ten days of the time ownership of the bicycle is transferred. The replacement license shall be \$1 and paid to the town before the replacement license is issued.

Penalty, see § 73.99

§ 73.99 PENALTY.

Every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than \$10, by impounding of such person's bicycle for a period not to exceed 30 days, or by any combination thereof. In lieu of appearing before a court of competent jurisdiction, the person so charged may pay within five days to the Town Clerk-Treasurer for the benefit of the General Fund of the town, the sum of \$2.