

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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§ 70.01 DEFINITIONS.

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

"ALLEY." A narrow passageway dedicated to public use and intended to serve rear entrances to property.

"AUTHORIZED EMERGENCY VEHICLES." The following:

(1) Fire department vehicles, police department vehicles, ambulances, and emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8.

(2) Vehicles designated as emergency vehicles by the state Department of Transportation under IC 9-21-20-1.

(3) Motor vehicles that, subject to IC 9-21-20-2, are approved by the state Emergency Medical Services Commission that are:

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

(b) Not ambulances and provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110). (IC 9-13-2-6)

"BICYCLE." Any foot-propelled vehicle, irrespective of the number of wheels in contact with the ground. (IC 9-13-2-14)

"BOULEVARD." Any legally designated street at which cross traffic is required to stop before entering or crossing such boulevard.

"CHIEF POLICE OFFICER." The Chief of Police, Marshal, or other person or persons authorized by the legislative body to direct the implementation and enforcement of the provisions of this traffic code.

"COMMERCIAL LOADING ZONE." A space adjacent to a curb reserved for the exclusive use of vehicles, during the loading or unloading of passengers or materials.

"CROSSWALK."

(1) 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;

(2) A part of a roadway indicated for pedestrian crossing by lines or other markings on the surface.
(IC 9-13-2-40)

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"CURB." The boundary of that portion of the street used for vehicles whether marked by curbstones or not.

"DISTRICTS." The business and residence districts are hereby defined as designated in the zoning ordinance of the town in effect on February 13, 1980, or which may become effective thereafter.

"DRIVER." A person who drives or is in actual physical control of a vehicle. (IC 9-13-2-47)

"FREIGHT CURB LOADING ZONE." A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of freight.

"INTERSECTION."

(1) The area embraced within the prolongation or connection of the lateral curb lines, or if none, then 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.

(2) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection. If the intersecting highway also includes two roadways at least 30 feet apart, every crossing of two roadways of the intersecting highway is regarded as a separate intersection. (IC 9-13-2-84)

"LANED ROADWAY." A highway the roadway of which is divided into three or more clearly marked lanes for vehicular traffic.

"MOTORCYCLE." A motor vehicle with motive power that has a seat or saddle for the use of the rider; is designed to travel on not more than three wheels in contact with the ground; and satisfies the operational and equipment specifications described in 49 CFR 571 and IC 9-19. The term includes an autocytle, but does not include a farm tractor or a motor driven cycle. (IC 9-13-2-108)

"MOTOR VEHICLE."

(1) Except as otherwise provided in division (2) of this definition, a vehicle that is self-propelled, but excluding a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, or an electric personal assistive mobility device.

(2) For purposes of IC 9-21 and Chapter 71:

(a) A vehicle that is self-propelled; or

(b) A vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. (IC 9-13-2-105(a), (b))

"OFFICIAL TIME STANDARD." Whenever certain hours are named herein, they shall mean standard time or daylight saving time as may be in current use in the town.

"OFFICIAL TRAFFIC-CONTROL DEVICES." A sign, signal, marking, and device, including a railroad advance warning sign, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic. (IC 9-13-2-117)

"ONE-WAY STREET." A street on which vehicles are permitted to move in one direction only.

"OPERATOR." Except as provided in IC 9-31, an individual who operates a vehicle, motorboat, off-road vehicle, or snowmobile. (IC 9-13-2-118)

"PARK." When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading and unloading.

"PASSENGER CURB LOADING ZONE." A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

"PEDESTRIAN." Any person afoot.

"PLAY STREET." Any street or portion thereof so designated by the chief police officer and reserved as a play area for children, from which all traffic is barred, except vehicles to and from abutting properties.

"POLICE DEPARTMENT." The Police Department or other persons or agency authorized to perform the duties of § 70.03 or any other acts necessary to implement and enforce this traffic code.

"POLICE OFFICER." Every officer of the Metropolitan Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

"PRIVATE ROAD OR DRIVEWAY." A way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. (IC 9-13-2-135)

"PUBLIC WAY." The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"RAILROAD." Does not include street car.

"RAILROAD TRAIN." A steam engine, electric or other motor, with or without cars coupled thereto operated upon rails, except streetcars.

"REVERSE TURN." To turn a vehicle on any street in such a manner as to proceed in the opposite direction.

"RIGHT-OF-WAY." The privilege of the immediate use of the highway. (IC 9-13-2-155)

"ROADWAY." That part of a street or highway improved, designed, or ordinarily used for vehicular travel. (IC 9-13-2-157)

"SIDEWALK." That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians. (IC 9-13-2-167)

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"STOP." When required means completed cessation of movement.

"STOP," STOPPING," or "STANDING." When prohibited, means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control sign or signal.

"STREET" or "HIGHWAY." The entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley. (IC 9-13-2-175)

"THROUGH HIGHWAY." Every street or highway or portion thereof at the entrance to which vehicular traffic from intersecting streets or highways is required to yield the right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign. (IC 9-13-2-178)

"TRAFFIC." Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street or highway for the purposes of travel. (IC 9-13-2-182)

"TRAFFIC-CONTROL SIGNAL." Any device not inconsistent with this traffic code, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

"TRAFFIC DIVISION." The Traffic Division of the Police Department of the town, or in the event a traffic division is not established, then such term whenever used herein shall be deemed to refer to the Police Department.

"VEHICLE." Except as otherwise provided in IC 9-13-2-196, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:

- (1) A device moved by human power.
- (2) A device that runs only on rails or tracks.
- (3) A wheelchair. (IC 9-13-2-196(a))

"YIELD RIGHT-OF-WAY." Indicates a preferential right-of-way for the intersection, and vehicles shall yield to traffic having the designated right-of-way. (Ord. 306, passed 4-8-81)

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§ 70.02 REQUIRED OBEDIENCE TO TRAFFIC DIRECTIONS.

(A) It shall be a misdemeanor for any person to do any act forbidden, or fail to perform any act required, in this traffic code.

(B) The provisions of this traffic code shall apply to the driver of any vehicle owned or used in the service of the United States government, this state, county, or municipality, and it shall be unlawful for any such driver to violate any of the provisions of this traffic code, except as otherwise permitted in this traffic code or by state statute.

(C) Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions of this traffic code which by their very nature can have no application. (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 70.03 POWERS AND DUTIES OF POLICE AND FIRE DEPARTMENT;
OBEDIENCE TO DIRECTIONS REQUIRED.

(A) Authority of Police and Fire Department officials.

(1) It shall be the duty of the officers of the Police Department, or such officers as are assigned by the Chief of Police, to enforce all street traffic laws of the town, and all of the state vehicle laws applicable to street traffic in the town.

(2) Officers of the Police Department, or such officers as are assigned by the Chief of Police, are authorized to direct all traffic by voice, hand, or signal, in conformance with traffic laws, provided that in the event of a fire or other emergency, or to expedite traffic, or safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

(3) Officers of the various Fire Departments, when in uniform, may direct or assist the police in directing traffic.

(B) No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

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§ 70.04 AUTHORITY FOR ENFORCEMENT.

(A) Authority to direct and enforce all traffic regulations of this city in accordance with the provisions of this traffic code and to make arrests for traffic violations is given to the Police Department, and, except in case of emergency, it shall be unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle, or any other signal.

(B) The Chief of Police, by and with the approval of the Board of Trustees, is empowered to make regulations necessary to make effective the provisions of the traffic code. (Ord. 306, passed 4-8-81)

Penalty, see § 70.99

§ 70.05 TEMPORARY REGULATIONS.

(A) The Chief of Police, by and with the approval of the Board of Trustees, is empowered to make and enforce temporary or experimental traffic regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 180 days.

(B) The Town Traffic Engineer may test traffic-control devices under actual conditions of traffic.

(Ord. 306, passed 4-8-81)

§ 70.06 AUTHORITY TO ERECT SIGNS.

(A) The chief police officer is authorized and required to mark with proper signs and signals such major and through streets as have been or may hereafter be so designated by ordinances enacted by the legislative body.

(B) The chief police officer is authorized and required to erect and maintain suitable signs for the designation of one-way streets.

§ 70.07 AUTHORIZED EMERGENCY VEHICLES.

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

- (1) Park or stand, notwithstanding other provisions of this chapter;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation;
- (3) Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property;
- (4) Disregard regulations governing direction of movement or turning in specified directions.

(B) This section applies to an authorized emergency vehicle only when the vehicle is using audible and visual signals as required by law. An authorized emergency vehicle operated as a police vehicle is not required to be equipped with or display red or blue lights visible from in front of the vehicle.

(C) This section shall not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor protect the person who drives from the consequences of the person's reckless disregard for the safety of others.

(IC 9-21-1-8) (Ord. 306, passed 4-8-81)

§ 70.08 TRAFFIC ENGINEER; DUTIES; REVIEW ACTIONS.

(A) The Town Director of Public Works, or Public Works Superintendent, shall serve as the Town Traffic Engineer, in addition to his other functions, and shall exercise the powers and duties with

respect to traffic, as provided in this traffic code. The Chief of Police shall serve as the Assistant Town Traffic Engineer, in addition to his other functions and responsibilities, and shall exercise the powers and duties with respect to traffic, as provided in this traffic code, as an assistant to the Director of Public Works or Public Works Superintendent.

(B) It shall be the general duty of the Town Traffic Engineer to determine the installation, proper timing, and maintenance of traffic-control devices, conduct engineering analyses of traffic accidents, devise remedial measures, conduct engineering investigations of traffic conditions, plan the operation of traffic on the streets and highways of the town, cooperate with other town officials in the development of ways and means to improve traffic conditions, and carry out the additional powers and duties imposed by ordinances of the town.

(C) Whenever in the administration of this traffic code the Town Traffic Engineer takes action as provided in this traffic code, his acts shall be subject to review by the Town Police Commission at any time within 90 days; however, such acts shall remain in full force and effect unless remanded or modified upon such review. (Ord. 306, passed 4-8-81; Am. Ord. 604, passed 3-1-94)

§ 70.09 POLICE CHIEF'S AUTHORITY TO RESTRICT USE OF STREETS BY CERTAIN VEHICLES.

(A) The Chief of Police is authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, or other nonmotorized traffic, and shall erect appropriate signs giving notice thereof.

(B) When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs. (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 70.10 DRIVER EDUCATION PROGRAM.

(A) There is hereby created and established a Cedar Lake Driver Education Program designed for those persons receiving a citation issued by a Cedar Lake Police Officer for violation of the traffic regulations of the town, and who are either first time traffic offenders or who otherwise have not accumulated more than four current points on their driving record, and who have not previously completed the Driver Education Program within the past three years to the date of issuance of the citation, with the objective of improving the driving skills of such person.

(B) The fee and charges of the program shall be in the sum of \$75 to defray the cost of the program.

(C) The program shall be administered and operated by the town Police Chief.

(D) Upon successful completion of the four-hour course and program, the pending traffic charges will not be processed by the

Police Department for prosecution of the same in the Lake Superior Court.

(E) The first-time offenses eligible for the program shall be all town ordinance moving violations.

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(F) The program shall be operated consistent with the Cedar Lake Driver Education Program Manual containing the mission statement, eligibility/attendance, schedule of class/length/validity, instructors, and protocol, which manual is hereby specifically incorporated into this section by reference.

(G) The Chief of Police shall be and hereby is authorized in conjunction with the Clerk-Treasurer to create such forms and bulletins to effectively administer the program.

(Ord. 804, passed 8-28-01)

§ 70.11 TOWN DEFERRAL PROGRAM.

(A) Establishment. The town hereby establishes a Town Deferral Program pursuant to IC 34-28-5-1, as amended from time to time, to be known as the Town Deferral Program.

(B) Eligibility. An individual who has being issued a citation for a moving traffic citation in the town shall be eligible to participate in the Town Deferral Program if the individual:

(1) Has not been charged with a moving traffic violation that is associated with property damage, personal injury, or other related criminal charges;

(2) Has not been charged with any other moving violation in any state within the last year; and

(3) Has not been charged with an offense of speeding in excess of 30 miles per hour over the posted speed limit.

(C) Application. An individual who is eligible and seeks to participate in the Town Deferral Program (hereinafter Applicant) shall complete the Town Deferral Program Application Agreement located in the Police Department. The Police Department shall verify that the applicant is eligible for the Town Deferral Program.

(D) Fees.

(1) At the time of the application submission, the applicant shall pay the following:

(a) Current court costs, pursuant to the provisions of the Indiana Code, as amended from time to time,

(b) An initial user fee of \$52, and

(c) Monthly user fees of \$10 per month for each of the six months the applicant is in the Town Deferral Program.

(2) The total amount of the court costs and fees identified above shall be made payable to the Clerk, Lake Superior Court, in the form of a certified check, money order, or cashier's check. The fees paid by the applicant are non-refundable and shall not be applied to

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the fine in the event that the applicant fails to properly and successfully follow and complete the requirements of the Town Deferral Program. The court costs shall be distributed as required for traffic violations. Fifty percent of the initial user fee and monthly user fees shall be deposited in the Police Department Equipment Non-Reverting Fund upon proper processing.

(E) Procedure. The Police Department shall file the applicant's citation with the Lake County Court. After assignment of a cause number and at the next regularly scheduled Town Court date, the Town Attorney shall file the executed Deferral Program Application Agreement in the Lake County Court together with the court costs and fees. The Police Department shall review the applicant's driving record six months after the filing of said Agreement (hereinafter Review Period). In the event that no new moving traffic violations have been issued to by the applicant, the Town Attorney shall dismiss the original moving traffic violation citation. In the event that the applicant has been issued a moving traffic violation citation within the review period, or otherwise does not comply with terms of the Town Deferral Program, the Town Attorney shall institute further proceedings against the applicant based upon the original citation.

(F) Implementation. The Town Attorney, Police Department, and Clerk-Treasurer are hereby authorized to develop the appropriate forms and related materials necessary to facilitate the Town Deferral Program.

(Ord. 997, passed 4-10-07)

TRAFFIC-CONTROL DEVICES

§ 70.15 SIGNAL LEGENDS.

(A) 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, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

(B) The lights indicate and apply to drivers of vehicles and

pedestrians as follows:

(1) Green indication.

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn;

(b) Vehicular traffic, including vehicles turning right or left, shall yield right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time such signal is exhibited;

(c) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green

arrow or other movement permitted by other indications shown at the same time;

(d) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection; and

(e) Unless otherwise directed by a pedestrian-control signal, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication.

(a) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter; and

(b) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication.

(a) Except as provided in division (B)(3)(b) and (d), vehicular traffic facing a steady circular red signal alone shall stop at clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown;

(b) 1. Except when a sign is in place prohibiting a turn described in this subdivision, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to:

a. Make a right turn; or

b. Make a left turn if turning from the left lane of a one-way street into another one-way street with the flow of traffic.

2. Vehicular traffic making a turn described in this subdivision shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

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(c) Unless otherwise directed by a pedestrian-control signal, pedestrians facing a steady circular red signal alone shall not enter the roadway.

(d) This provision does not apply to the operation of an autocycle. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

1. Comes to a complete stop at the intersection for at least 120 seconds; and

2. Exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications:

(a) Vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection; and

(b) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection, or approaching so closely as to constitute an immediate hazard.

(5) This section applies to traffic-control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made.

(IC 9-21-3-7)

(C) The motorman of any street car shall obey traffic-control signals as applicable to vehicles.

(D) The following schedule of public ways, roadways, streets, and highways of the town upon which four-way automatic traffic-control devices at one or more of the intersections shall be placed where specifically designated, namely:

Wicker Ave. and W-133 Ave.;
Parrish Ave. and W-133 Ave.;
Morse St. and W-145 Ave.

(E) The following schedule of public ways, roadways, streets, and highways of the town upon which there is a railroad crossing, and where there exists automatic traffic-control devices at said crossing which require compliance by drivers or operators of vehicles shall be applicable where specifically designated, namely:

9400 Block W-137 Ave;

9400 Block W-141 Ave.;

9400 Block W-142 Ave.;

11000 Block W-129 Ave.

(Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91)

§ 70.16 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.

(A) The Town Traffic Engineer shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of the town to make effective the provisions of such ordinances and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of the town or under state law, or to guide or warn traffic. (Ord. 306, passed 4-8-81)

(B) All traffic-control devices shall be the same general type and all such traffic devices employed to indicate one particular warning or regulation shall be uniform and as far as possible shall be placed uniformly.

§ 70.17 OBEDIENCE TO SIGNALS.

The driver or operator of every vehicle on the public ways, roadways, streets, highways or private roads or driveways in the town shall obey and comply with the instructions of any official traffic-control device applicable thereto and placed in accordance with all applicable town ordinances, as amended from time to time, unless otherwise directed by a police officer, subject to the exceptions provided the driver of an authorized emergency vehicle as described in the Traffic Code.

(Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91) Penalty, see § 70.99

§ 70.18 INTERFERENCE WITH SIGNALS.

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

(Ord. 306, passed 4-8-81)

§ 70.19 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) A person may not place, maintain, or display upon or in view of any highway an unauthorized sign, signal, marking, or device that:

(1) Purports to be, is an imitation of, or resembles an official traffic-control device or railroad sign or signal; or

(2) Attempts to direct the movement of traffic; or

(3) Hides from view or interferes with the effectiveness of any official traffic-control device or a railroad sign or signal.
(IC 9-21-4-4)

(B) Except as provided in IC 9-21-4-5(b), a person may not place or maintain upon a highway a traffic sign or signal bearing commercial advertising. A public authority may not permit the placement of a traffic sign or signal that bears a commercial message.

(C) Under criteria to be jointly established by the State Department of Transportation and the Office of Tourism Development, the Department of Transportation may authorize the posting of any of the following:

(1) Limited tourist attraction signage; and

(2) Business signs on specific information panels on the interstate system of highways and other freeways.

(D) Criteria established under division (C) above for tourist attraction signage must include a category for a tourist attraction that:

(1) Is a trademarked destination brand; and

(2) Encompasses buildings, structures, sites or other facilities that are, regardless of the distance of the tourist attraction from the highway on which the tourist attraction signage is placed:

(a) Listed on the National Register of Historic Places established under 16 U.S.C. 470 et seq.; or

(b) Listed on the register of Indiana historic sites and historic structures established under IC 36-14-21;

regardless of the distance of the tourist attraction from the highway on which the tourist attraction signage is placed.

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(E) All costs of manufacturing, installation, and maintenance to the State Department of Transportation for a business sign posted under this section shall be paid by the business.

(F) A person may not place, maintain, or display a flashing, a rotating, or an alternating light, beacon, or other lighted device that:

(1) Is visible from a highway; and

(2) May be mistaken for or confused with a traffic-control device or for an authorized warning device on an emergency vehicle.

(G) Criteria established under division (C) for tourist attraction signage must include a category for tourist attraction that is an establishment licensed under IC 7.1-3-2-7(5).

(H) This section does not prohibit the erection, upon private property adjacent to highways, of signs giving useful directional information and of a type that cannot be mistaken for official signs. (IC 9-21-4-5)

(I) Each sign, signal, or marking prohibited under this section or other state law is declared to be a public nuisance, and the authority having jurisdiction over the highway may remove or cause to be removed the prohibited sign, signal, or marking without notice.

(IC 9-21-4-6(e))

(Ord. 306, passed 4-8-81)

§ 70.20 DEFECTIVE DEVICES.

No provision of this traffic code for which signs are required shall be enforceable against an alleged violator if at the time and place of the alleged violation the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person. However, when any particular section of this traffic code does not state that signs are required, such section shall be effective without signs being placed to give notice thereof.

§ 70.21 TEMPORARY CONTROL OF DEVICES.

In any emergency any police officer may at his or her discretion disregard traffic-control lights or signals or established regulations in order to facilitate the movement of traffic.

§ 70.22 REGULATION BY TRAFFIC SIGNALS AUTHORIZED.

The Town Traffic Engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly

and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections, and shall erect appropriate signs giving notice thereof.
(Ord. 306, passed 4-8-81)

§ 70.23 MANUAL AND SPECIFICATION CONFORMANCE.

All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the State Highway Department or resolution adopted by the Town Council. All signs and signals required hereunder for the particular purpose shall, as far as practicable, be uniform as to type and location throughout 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.
(Ord. 306, passed 4-8-81)

Statutory reference:

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

§ 70.24 STOP OR YIELD INTERSECTIONS AND SIGNS.

(A) The Town Traffic Engineer is authorized to determine and designate intersections where particular hazards exist upon other than through streets, and may designate any such intersection as a stop intersection or a yield intersection and erect stop signs or yield signs at one or more entrances to such intersections.

(B) Every stop or yield sign shall conform to and be erected in accordance with the state manual and specifications.

(C) When stop signs are erected and placed at or near the entrance to any public way, roadway, street, highway or private road or driveway in the town as designated in this chapter, and all amendments passed subsequent hereto, every driver or operator of a vehicle shall stop at every sign or at a clearly marked stop line before entering the intersection.

(D) When stop signs are erected and placed upon, at, or near all four corners of any public ways, roadways, streets, highways or private

roads or driveways in the town at any intersection as designated in this chapter, and all amendments subsequent hereto, every driver or operator of a vehicle shall stop at every sign or at a clearly marked stop line before entering the intersection. The first vehicle to reach an intersection shall, after stopping, have the right of way to proceed. (Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91)

§ 70.25 PEDESTRIAN-CONTROL SIGNALS.

Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place, the signals indicate as follows:

(A) Flashing or steady "walk" means that a pedestrian may proceed across the roadway in the direction of the signal and that a person who drives a vehicle shall yield the right-of-way to the pedestrian.

(B) Flashing or steady "don't walk" means that a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has partially completed crossing on the walk signal shall proceed to a sidewalk or safety zone while the "don't walk" signal is showing.*

(IC 9-21-17-2) (Ord. 306, passed 4-8-81)

* Editor's note:

IC 9-21-17-2 currently contains separate definitions for "flashing don't walk" and "steady don't walk."

Cross-reference:

Pedestrians, see Ch. 74

Signal legends, see § 70.15

§ 70.26 FLASHING SIGNALS.

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:

(A) Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, a person who drives a vehicle shall stop at a clearly marked stop line before entering the crosswalk on the near side of the intersection. If no line exists, the person shall stop at the point nearest the intersecting roadway where the person has a view of approaching traffic on the intersecting roadway before entering the roadway. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign; and

(B) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, a person who drives a vehicle may proceed through the intersection or past such signal only with caution.

(IC 9-21-3-8) (Ord. 306, passed 4-8-81)

§ 70.27 CROSSWALKS; SAFETY ZONES.

The Town Traffic Engineer is authorized:

(A) To designate and maintain, by appropriate devices, marks, or

lines upon the surface of the roadway, crosswalks at intersections

where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;

(B) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

(Ord. 306, passed 4-8-81)

§ 70.28 ENFORCEMENT PURPOSES; EXCEPTION.

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

(Ord. 306, passed 4-8-81)

§ 70.29 OBSTRUCTION OF OTHER VEHICLES OR PEDESTRIANS.

No driver or operator of any vehicle 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 device or stop sign indication.

(Ord. 530, passed 5-22-91) Penalty, see § 70.99

TRAFFIC ACCIDENT REPORTS

§ 70.35 IMMEDIATE NOTICE TO POLICE DEPARTMENT REQUIRED.

The driver of a vehicle involved in an accident resulting in injury to or death of any person, or resulting in property damage shall immediately, by the quickest means of communication, give notice of such accident to the Police Department, if such accident occurs within the town.

(Ord. 306, passed 4-8-81)

Statutory reference:

Authority of city to require accident reports, see IC 9-26-1-7

§ 70.36 WRITTEN REPORTS.

The driver of a vehicle which is in any manner involved in an accident resulting in injury to or death of any person or property damage shall, within five days after such accident, forward a written report of such accident to the Police Department, or a copy of any report he is required to forward to the state. The provisions of this section shall not be applicable when the accident has been

investigated at the scene by a police officer while such driver was present.
(Ord. 306, passed 4-8-81)

§ 70.37 REPORTING PROCEDURE WHEN DRIVER DISABLED.

(A) Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required in § 70.35, and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice not given by the driver.

(B) Whenever the driver is physically incapable of making a written report of an accident, as required in § 70.35, and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall, within five days after learning of the accident, make such report not made by the driver.
(Ord. 306, passed 4-8-81)

§ 70.38 CONFIDENTIALITY OF WRITTEN REPORTS.

(A) All written accident reports made by drivers, owners, or occupants of vehicles involved in accidents, as required in §§ 70.36 and 70.37, shall be without prejudice to the individual so reporting, and shall be for the confidential use of the Police Department or other governmental agencies having use of the records for accident prevention purposes, except that the Police Department may disclose the identity of a person involved in an accident when such identity is not otherwise known, or when such person denies his or her presence at such accident.

(B) No such report shall be used as evidence in any trial, civil or criminal, arising out of any accident, except that the Department shall furnish upon demand of any person who has, or claims to have made such a report, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Police Department, solely to prove a compliance or a failure to comply with the requirements that such a report be made to the Department.
(Ord. 306, passed 4-8-81)

§ 70.39 MOTOR VEHICLE CRASH REPORT FEE.

Any person entitled to a motor vehicle crash report, as provided by applicable state law, shall be entitled to receive a duplicate copy of the motor vehicle crash report pertaining to a particular incident upon payment of a fee of \$10 for each such report to the Metropolitan Police Department. The processing of said fee shall be in conformance with the applicable requirements of the State of Indiana Board of Accounts. All fees received pursuant to the terms of this section shall be processed and deposited in the Law Enforcement Education Fund (LEEF). Payment of this fee shall be made in the form of cash, cashier's check or money order only.
(Ord. 320, passed 10-14-81; Am. Ord. 850, passed 2-17-03; Am. Ord.

996, passed 4-10-07)

§ 70.40 CASE/POLICE REPORT FEE.

(A) Any person entitled to a traffic accident report, as provided by applicable state law, shall be entitled to receive a duplicate copy of the case/police report pertaining to a particular incident upon

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payment of a fee of \$5 for each such report to the Metropolitan Police Department. Duplicates of digital photographs, when available, shall be provided upon request according to the following schedule:

(1) Digital media computer disk containing requested photographs - \$5 per disk.

(2) Digital media color printed photographs - \$3 per 8.5 x 11 page, regardless of the number of photographs printed on each page.

(B) The processing of said fee shall be in conformance with the applicable requirements of the State of Indiana Board of Accounts. All fees received pursuant to the terms of this section shall be processed and deposited in the Law Enforcement Education Fund (LEEF). Payment of this fee shall be made in the form of cash, cashier's check, personal check or money order only.

(Ord. 851, passed 2-17-03; Am. Ord. 916, passed 3-2-04)

§ 70.41 VEHICLE IDENTIFICATION NUMBER (VIN) REPORT FEE.

Any person entitled to a vehicle identification number (VIN) report, as provided by applicable state law, shall be entitled to receive a duplicate copy of the vehicle identification number (VIN) report pertaining to a particular vehicle upon payment of a fee of \$5 for each such report to the Metropolitan Police Department. The processing of said fee shall be in conformance with the applicable requirements of the State of Indiana Board of Accounts. All fees received pursuant to the terms of this section shall be processed and deposited in the Law Enforcement Education Fund (LEEF). Payment of this fee shall be made in the form of cash, cashier's check or money order only.

(Ord. 852, passed 2-17-03)

§ 70.42 FINGERPRINT SERVICE FEE.

A \$5 fee shall be assessed and collected for any fingerprint service performed by the Metropolitan Police Department. The processing of said fee shall be in conformance with the applicable requirements of the State of Indiana Board of Accounts. All fees received pursuant to the terms of this section shall be processed to the Law Enforcement Education Fund (LEEF). Payment of this fee shall be made in the form of cash, cashier's check or money order only. The provisions of this section do not apply to fingerprint services performed by the Police Department in connection with an individual's application for a gun permit.

(Ord. 854, passed 2-17-03)

§ 70.43 VEHICLE TOW RELEASE FEE.

A fee of \$20 shall be assessed and collected for any vehicle tow release performed by the Metropolitan Police Department in instances when criminal charges are filed against the owner of the vehicle as a result of the incident that caused the vehicle to be towed. The processing of said fee shall be in conformance with the applicable requirements of the State of Indiana Board of Accounts. Said fee shall be paid directly to the Police Department and thereafter shall be

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processed to the non-reverting police equipment fund. Payment of this fee shall be made in the form of cash, cashier's check or money order only.

(Ord. 853, passed 2-17-03; Am. Ord. 1027, passed 1-8-08)

§ 70.98 PLEA OF GUILTY; PREPAYMENT OF FINE.

(A) Any person charged with a violation of this traffic code, except a person who is charged with a moving traffic violation and who has been convicted of a moving traffic violation within the previous year, may, within a period of ten days of the date of being charged with the violation, elect to plead guilty and pay the minimum fine required by this chapter in lieu of being charged with such violation in a court of competent jurisdiction which fine shall be payable in the office of the Clerk-Treasurer.

(B) (1) The Clerk-Treasurer shall accept and receipt any payable fine for a violation of this traffic code for the benefit of the general fund of the town.

(2) For each fine received for any violation of any of the provisions of this traffic code pertaining to any of the following moving traffic matters:

(a) The regulation of traffic by means of traffic-control signals;

(b) The designation of particular streets as one-way streets;

(c) The regulation of the speed of vehicles on streets, alleys, or other public places;

(d) The designation of any street as a through street, requiring that all vehicles stop before entering or crossing

the same; or

(e) The designation of any intersection as a stop intersection, requiring all vehicles to stop at one or more entrances to such intersection.

(3) The Clerk-Treasurer shall forward the \$3 fee to the State Commissioner of Motor Vehicles in the manner now or hereafter provided by law and shall notify the Bureau of Motor Vehicles of the state in which the violator is licensed of such conviction.

(4) The provisions relating to payment to the Clerk-Treasurer in lieu of being charged with the offense shall apply to violations of the ordinances of the town regulating the standing, parking, and use of vehicles with respect to streets and highways under the jurisdiction of the town as to all matters set forth in the Acts of Indiana, 1947, Chapter 338, as amended.
(Ord. 306, passed 4-8-81)

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§ 70.99 GENERAL PENALTY.

(A) Any person who shall violate any of the provisions of this traffic code where no other penalty is specifically provided shall upon conviction, be punished by a fine of not less than \$50 nor more than \$2,500 and each such violation shall constitute a separate offense.

(B) (1) All moving traffic violations in town code sections and town ordinances shall be certified pursuant to applicable Indiana law.

(a) Speeding 1 - 10 mph over posted speed limit:
\$103.50.

(b) Speeding 11 - 20 mph over posted speed limit:
\$125.50.

(c) Speeding 21 - 30 mph over posted speed limit:
\$182.50.

(d) All other moving violations: \$126.50.

(2) Further, in addition to fines and penalties for such moving violations, court costs shall be assessed in the amount of \$106.50, and a law enforcement continuing education fee in the amount

of \$3 shall likewise be assessed for all moving violations only.

(3) The fine or fines, court costs, and law enforcement continuing education fee shall be payable to the Clerk-Treasurer of Cedar Lake, Lake County, Indiana, as a designated violations bureau of the Lake County courts. Upon receipt of payment, the Clerk-Treasurer shall forward the court costs and law enforcement continuing education fee to the Clerk of the Lake County courts for distribution in accordance with applicable Indiana statutes, as amended from time to time.

(Ord. 306, passed 4-8-81; Am. Ord. 848, passed 2-17-03; Am. Ord. 946, passed 2-21-06; Am. Ord. 969, passed 8-1-06; Am. Ord. 986, passed 3-6-07)

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OPERATION GENERALLY

§ 71.01 OBSTRUCTING TRAFFIC.

(A) It shall be unlawful to operate any vehicle or permit it to remain standing in any street in such manner as to create an obstruction thereof.

(B) 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 is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. 306, passed 4-8-81)

(C) Any intersection deemed by the chief police officer to be of special or critical importance to the movement of traffic shall be caused by him to be marked in such distinctive manner as to indicate such importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he shall be deemed to have violated this division rather than division (B) above. Penalty, see § 70.99

§ 71.02 REVERSE OR U TURNS.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district, and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.03 BACKING VEHICLES.

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.04 VEHICLES CROSSING SIDEWALKS.

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

(B) The driver of a vehicle, within a business or residence district, emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, sound his

horn and yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.
(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.05 OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS.

(A) Prohibited. On property at any corner formed by intersecting streets, it shall be unlawful to install, set out, or maintain or to allow the installation, setting out, or maintenance of any sign, hedge, shrubbery, natural growth, or other obstruction to the view, within that triangular area between the property line and a diagonal line joining points on the property lines 15 feet the point of their intersection, or in the case of rounded corners, the triangular area between the tangents to the curve and a diagonal line joining points on the tangent 15 feet from the point of their intersection. The tangents referred to are those at the beginning and at the end of the curve at the corner.

(B) Exemptions. The foregoing provision of division (A) of this section shall not apply to permanent buildings; public utility poles; supporting members of appurtenances to permanent buildings existing on February 13, 1980; official warning signs or signals; places where the contour of the ground is such that there can be no cross-visibility at the intersection; or signs mounted ten feet or more above the ground and whose supports do not constitute an obstruction as defined in division (A) of this section.

(C) Enforcement. The enforcement of this section shall be under the direction of the Chief of Police, who shall investigate violations of this section, give such notices as may be required to carry out this section and perform such other duties in connection with the enforcement of this section as may be required.

(D) Removal. Any obstruction maintained in violation of this section shall be deemed a nuisance, and upon failure to abate the same within 20 days after the posting upon the premises of a notice to abate the nuisance signed by the Chief of Police, such representative of the Chief of Police as he may so authorize may enter upon the premises and remove or eliminate the obstruction. The Chief of Police shall have power to declare what shall constitute a nuisance, to prevent the same, require its abatement, authorize the removal of the same by the proper officers, and provide for the punishment of the person causing or suffering the same, to assess the expenses of its removal against such person, and to provide for collecting such expenses either by causing them to be placed on the tax duplicate or by suit.

(E) Scope of section. No obstruction to cross-visibility shall be deemed to be excepted from the application of this section because of its being in existence on February 13, 1980, unless expressly exempted by the terms of this section.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.06 TURNING MARKERS.

(A) The Town Traffic Engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles at such intersections, and such

course to be traveled as so indicated may conform to or be other than as prescribed by law or obedience.

(B) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles, no driver of a vehicle shall disobey the directions of such indications.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.07 RESTRICTED TURNS.

(A) The Town Traffic Engineer is authorized to determine those intersections at which drivers of vehicles shall not make a right turn, left turn, or U-turn and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

(B) Whenever authorized signs are erected indicating that no right turn, left turn, or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.08 ONE-WAY STREETS.

(A) Compliance with signs required. Upon those streets and parts of streets and in those alleys established from time to time as one-way streets and alleys, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

(B) Placement of signs authorized. Whenever any ordinance of the town designates any one-way street or alley, the Town Traffic Engineer shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed in every intersection where movement of traffic in the opposite direction is prohibited.

(C) Restriction of movement during certain periods authorized; obedience required.

(1) The Town Traffic Engineer is authorized to determine and designate streets, parts of streets or specific lanes thereon, upon which vehicular traffic shall proceed in one direction during one period, and the opposite direction during another period of the day, and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The Town Traffic

Engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

(2) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers, or other devices so placed in accordance with this section.

(D) The following schedule of public ways, roadways, streets and highways of the town upon which vehicular traffic shall proceed in one direction shall be applicable where specifically designated, namely:

Bryan St. and Blaine St. North Bound from W-135 Pl. to W-134 Ln.
Dewey St. and Lee St. South Bound to W-135 Pl.
Fir St. North Bound from W-134 Pl. to W-133 t.
Greenleaf Street Northbound from W. 141st Place
W-128 Ave. West Bound from Bell St. To Fairbanks
W-128 Pl. East Bound from Fairbanks to Bell St.
W-131 Ave. North/West Bound to Lake Shore Drive
W-131 Ave. South/East Bound from Lake Shore Drive to Polk St.
W-131 Pl. West Bound from Morse St. to Lake Shore Drive
W-134 Ln. West Bound to Dewey St.

(Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91; Am. Ord. 631, passed 10-18-94; Am. Ord. 1024, passed 12-4-07) Penalty, see § 70.99

§ 71.09 THROUGH STREETS; PLACEMENT OF STOP SIGNS.

(A) Those streets and parts of streets as are from time to time established pursuant to this traffic code are declared to be through streets for the purpose of this section.

(B) Whenever any ordinance of the town designates and describes a through street, it shall be the duty of the Town Traffic Engineer to place and maintain a stop sign on each and every street intersecting such through street, or at each intersection on that portion thereof described and designated as such by any ordinance of the town, unless traffic at any such intersection is controlled at all times by traffic-control signals; provided, however, that at the intersection of two such through streets, or at the intersection of a through street and a heavy traffic street, not so designated, stop signs shall be erected at the approaches of either or both of such streets as may be determined by the Town Traffic Engineer, upon the basis of an engineering and traffic study.

(C) The following schedule of public ways, roadways, streets and highways of the town upon which stop signs have been placed at one or more of the intersections shall be applicable where specifically designated, namely:

W-133 Drive East Bound at Lake Shore Drive (entrance to Cedar Lake Trailer Court);
Washington St. North and South Bound at Lake Shore Drive;
Marquette St. North Bound at W-132Pl;

Four-Way Intersection Marquette St. and W-131 Ln. North, South,
East, West;
Polk St. North Bound at 131st. Ave.;
Marquette St. North Bound at Lake Shore Drive;
Dodge St. North and South Bound at Lake Shore Drive;
W-130 Ct. East Bound at Dodge St.;

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Polk St. North Bound at Lake Shore Drive;
Foster St. South Bound at Lake Shore Drive;
W-128 Pl. East Bound at Foster St.;
W-128 Ave. East Bound at Cline Ave.;
W-127 Ave. East Bound at Cline Ave.;
Vermillion Drive West Bound at Cline Ave.;
Cline Ave. South Bound at Lake Shore Drive;
Three-Way Intersection Lake Shore Drive South/East and North/West
Bound at Hill Top St. South;
W-129 Pl. South Bound at Lake Shore Drive;
W-129 Ave. West Bound at Hill Top St.;
Hill Top St. North Bound and South Bound at W-129 Ave.;
W-128 Pl. West Bound at Hill Top St.;
W-127 Pl. West Bound at Hill Top St.;
Hill Top St. North Bound at Vermillion Drive;
Morse Ln. North Bound and South Bound at W-129 Ave.;
Edison St. South Bound at W-129 Ave.;
Edison St. East Bound and West Bound at W-128 Pl.;
Edison St. East Bound and West Bound at W-128 Ln.;
Edison St. East Bound and West Bound at W-128 Ave.;
Fairbanks St. North Bound and South Bound at W-129 Ave. (in front of
McArthur School);
Fairbanks St. North Bound at W-126 Ave.;
Moss St. East Bound at Fairbanks St.;
W-128 Ave. East Bound at Fairbanks St.;
W-128 Pl. East Bound at Fairbanks St.;
W-128 Ln. East Bound at Fairbanks St.;
W-129 Ave. East Bound and West Bound at Fairbanks St.;
Lake Shore Drive South Bound at W-145 Ave.;
Birch St. North Bound at W-137 Ave.;
Birch St. East Bound at Lauerman St.;
W-139 Ave. West Bound at Lauerman St.;
W-139 Pl. West Bound at Lauerman St.;
W-139 Ct. West Bound at Lauerman St.;
Two-Way Stop, Intersection W-139 Ave. and Butternut St. North, South;
Two-Way Stop, Intersection W-139 Ave. and Soper St. North, South;
Two-Way Stop, Intersection W-139 Ave. and Huseman St. North, South;
Soper St. North Bound at W-138 Pl.;
Huseman St. South Bound at W-138 Pl.;
W-139 Pl. East Bound at Huseman St.;
Soper St. North Bound and South Bound at W-139 Pl.;
Four-Way Stop, Intersection, Butternut St. and W-139 Pl. North,
South, East, West;
Butternut St. North Bound and South Bound at W-139 Ct.;
Butternut St. South Bound at W-141 Ave.;
W-149 Ave. West Bound at Morse St.;
W-148 Ave. West Bound at Morse St.;
W-146 Ave. West Bound at Morse St.;
W-144 Ave. West Bound at Morse St.;
W-141 Ave. West Bound at Morse St.;

W-140 Ave. West Bound at Morse St.;
W-139 Pl. West Bound at Morse St.;

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W-139 Ln. West Bound at Morse St. ;
W-138 Ave. West Bound at Morse St. ;
W-137 Ln. West Bound at Morse St. ;
W-137 Pl. West Bound at Morse St. ;
W-135 Ave. West Bound at Morse St. ;
W-134 Ave. West Bound at Morse St. ;
W-134 Pl. West Bound at Morse St. ;
W-133 Ave. West Bound at Morse St. ;
W-132 Ln. West Bound at Morse St. ;
W-132 Pl. West Bound at Morse St. ;
W-132 Ave. West Bound at Morse St. ;
W-131 Pl. West Bound at Morse St. ;
W-143 Pl. East Bound at Morse St. ;
W-143 Ave. East Bound at Morse St. ;
W-142 Ave. East Bound at Morse St. ;
W-141 Pl. East Bound at Morse St. ;
W-140 Pl. East Bound at Morse St. ;
Binyon St. East Bound at Morse St. ;
W-138 Ln. East Bound at Morse St. ;
W-138 Pl. East Bound at Morse St. ;
W-137 Ave. East Bound at Morse St. ;
W-136 Ct. East Bound at Morse St. ;
W-136 Ln. East Bound at Morse St. ;
W-136 Ave. East Bound at Morse St. ;
W-134 Pl. East Bound at Morse St. ;
W-133 Ct. East Bound at Morse St. ;
Morse St. South Bound at W-132 Pl. ;
Lemoore St. North Bound at W-133 Pl. ;
Lemoore St. South Bound at W-134 Pl. ;
Knight St. North Bound at W-134 Pl. ;
Knight St. South Bound at W-136 Ave. ;
W-139 Ave. West Bound at Binyon Ave. ;
Hobart St. South Bound at W-144 Ave. ;
Wheeler St. North Bound at W-144 Ave. ;
Wheeler St. North Bound and South Bound at W-145 Ave. ;
W-146 Ave. East Bound at Reeder Road ;
Riskin Road East Bound at Reeder Road ;
W-144 Ave. East Bound at Riskin Road ;
Riskin Road North Bound and South Bound at W-144 Ave. ;
Riskin Road North Bound and South Bound at Dragus Drive ;
Dragus Drive West Bound at Riskin Road ;
Dragus Drive South Bound at Riskin Road ;
Riskin Road East Bound and West Bound at Dragus Drive ;
Rocklin St. South Bound at W-141 Ave. ;
Edison St. South Bound at W-141 Ave. ;
Sherman St. South Bound at W-141 Ave. ;
Fairbanks St. South Bound at W-141 Ave. ;
Windsor St. South Bound at W-141 Ave. ;
Hobart St. South Bound at W-141 Ave. ;
Wheeler St. South Bound at W-141 Ave. ;

Berkley St. South Bound at W-141 St. ;
W-133 Ave. East Bound and West Bound at Fairbanks St. ;

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Fairbanks St. South Bound at W-133 Ave.;

W-131 Ave. West Bound at Fairbanks St.;

W-130 Ave. West Bound at Fairbanks St.;

W-129 Ave. West Bound at Fairbanks St.;

W-142 Pl. West Bound at Parrish Ave.;

Burr St. South Bound at W-142 Pl.;

Doffin St. South Bound at W-142 Pl.;

W-142 Ave. East Bound at Lauerman St.;

W-141 Ln. West Bound at Lauerman St.;

W-141 Ct. West Bound at Lauerman St.;

W-141 Ave. East Bound and West Bound at Lauerman St.;

Huseman St. North Bound and South Bound at Lauerman St.;

Three-Way Stop, Intersection, Cline St. and W-147 Ave., North Bound, South Bound, East Bound;

Dewey St. North Bound at Lake Shore Drive;

Lee St. North Bound at Lake Shore Drive;

Bryan St. North Bound at W-145 Ave.;

Blaine St. North Bound at W-145 Ave.;

Soper St. South Bound at W-140 Ave.;

Soper St. North Bound and South Bound at W-139 Ct.;

Huseman St. North Bound and South Bound at W-139 Ct.;

Four-Way Stop, Intersection, Lauerman St. and W-141 Ave. North, South, East, West;

Highland St. North Bound at W-141 Ave.;

Cottage St. North Bound at W-141 Ave.;

Burr St. North Bound at W-141 Ave.;

Doffin St. North Bound at W-141 Ave.;

W-142 Ave. West Bound at Doffin St.;

W-142 Ave. East Bound at Burr St.;

W-142 Ave. West Bound at Parrish Ave.;

W-142 Pl. West Bound at Parrish Ave.;

Burr St. South Bound at W-142 Pl.;

Doffin St. South Bound at W-142 Pl.;

W-142 Ave. East Bound at Lauerman St.;

W-141 Ln. West Bound at Lauerman St.;

W-141 Ct. West Bound at Lauerman St.;

Lauerman St. North Bound and South Bound at W-141 Ave.;

Huseman St. North Bound and South Bound at W-147 Ave.;

Three-Way Stop, Intersection, Cline St. and W-147 Ave., North, South, East;

Dewey St. North Bound at Lake Shore Drive;

Lee St. North Bound at Lake Shore Drive;

Bryan St. North Bound at W-145 Ave.;

Blaine St. North Bound at W-145 Ave.;

Lake Shore Drive South Bound at W-145 Ave.;

Osborne St. South Bound at W-134 Ave.;

W-134 Ave. East Bound and West Bound at Osborne St.;

W-134 Ave. West Bound at Schneider St.;

W-133 Ln. West Bound at Schneider St.;

W-133 Ln. East Bound and West Bound at Osborne St.;

Osborne St. North Bound at W-133 Ave.;
Lindberg St. South Bound at W-133 Ave.;

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W-125 Ave. East Bound at Parrish Ave.;
W-125 Ct. West Bound at Parrish Ave.;
W-126 Pl. West Bound at Parrish Ave.;
W-129 Ave. East Bound at Parrish Ave.;
Alexander St. South Bound at W-129 Ave.;
W-137 Ave. West Bound at Parrish Ave.;
Four-Way Stop, Intersection, Parrish Ave. and W-141 Ave. North,
South, East, West;
W-135 Pl. East Bound at Parrish Ave.;
W-136 Ln. East Bound at Parrish Ave.;
W-126 Ave. East Bound at Wicker Ave.;
W-129 Ave. East Bound and West Bound at Wicker Ave.;
W-131 Pl. East Bound at Wicker Ave.;
W-132 Ave. East Bound at Wicker Ave.;
Forestdale St. South Bound at W-133 Ave.;
W-135 Pl. East Bound and West Bound at Wicker Ave.;
Woodmar Pl. North Bound at W-133 Ave.;
Schneider St. North Bound and South Bound at W-133 Ave.;
W-135 Pl. East Bound at Osborne St.;
W-134 Pl. West Bound at Osborne St.;
Osborne St. North Bound and South Bound at W-134 Ave.;
Four-Way Stop, Intersection Schneider Street and W-135th Ave.
136th Place East into Ivy Street;
136th Place West into Drummond;
133rd Lane East into Osborne;
133rd West into Osborne;
Colfax South into 133rd Avenue;
Morse at 133rd Avenue, North, South;
Wicker at 126th Avenue, East;
Bell at 144th Avenue, North;
Sherman at 144th Avenue, North, South;
Fairbanks at 144th Avenue, North;
Windsor at 144th Avenue, North;
Hobart at 144th Avenue, North;
Windsor at 145th Avenue, South;
Bell at 145th Avenue, South;
Binyon at 140th Avenue, East;
Orchard Drive at 140th Avenue, South (new road);
Orchard Drive at Binyon, North (new road);
Binyon at 138th Lane, West;
Knight at 135th Place, East;
Hilltop at Knight, East;
Hilltop at 134th Place, North;
Fulton at 134th Place, South;
Hickory at 134th Place, North, South;
Fir at 134th Place, North;
Hilltop at 128th Lane, West;
Hilltop at 127th Avenue, West;
Hilltop at 120th Avenue, West;

Cline at 126th Place, East;
Dewey at 147th Court, South;
Lee at 147th Court, South;
Bryan at 147th Court, South;
Lauerman at 144th Avenue, West;
Lauerman at 143rd Avenue, West;
Lauerman at 141st Court, East;
Burr at 142nd Place, North;
Euclid at 136th Lane, North;
Ivy at 135th Place, North;
West Lake Shore Drive at Deoder, South;
Grimm at Washington, North;
Grimm at Truman, North;
Marquette at Truman, South;
Marquette at 132nd Place, West;
Marquette at 132nd Place, East;
Marquette at 132nd Avenue, West;
Marquette at Dodge, South;
W. 133rd Lane, North Bound and South Bound;
W. 134th Avenue, North Bound and South Bound;
W. 142nd Place, West Bound at Burr Street;
W. 142nd Place, East Bound at Doffin Street;
Three-way stop intersection at W. 137th Ave. and Parrish Ave. North and South Bound;
Bluebird Ln. North Bound at Robin Dr.;
Bluebird Ln. South Bound at 135th Ave.;
Cardinal Ln. North Bound at 133rd Ave. (2 signs on opposite sides of roadway);
Cardinal Ln. North Bound and South Bound at 135th Pl.;
Finch Ct. Northwest Bound at Robin Dr.;
Finch Ct. South Bound at 135th Ave.;
Finch Ct. North Bound at 136th Pl.;
Park Pl. Southeast Bound at Robin Dr.;
Robin Dr. East Bound at Cardinal Ln. (2 signs on opposite sides of roadway);
Robin Dr. North Bound and South Bound at Finch Ct.;
Robin Dr. North Bound and South Bound at 135th Pl.;
Robin Dr. South Bound at 136th Pl.;
135th Ave. East Bound at Cardinal Ln.;
135th Ave. East Bound and West Bound at Finch Ct.;
135th Ave. East Bound and West Bound at Robin Dr.;
135th Pl. East Bound and West Bound at Cardinal Ln.;
135th Pl. East Bound and West Bound at Robin Dr.;
136th Ave. East Bound at Cardinal Ln.;
136th Ave. East Bound and West Bound at Robin Dr.

(Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91; Am. Ord. 540, passed 10-9-91; Am. Ord. 559, passed 10-6-92; Am. Ord. 872, passed 10-14-03; Am. Ord. 981, passed 11-21-06; Am. Ord. 1249, passed 9-6-16; Ord. 1251, passed 9-6-16)

§ 71.10 TRAFFIC LANES.

(A) The Town Traffic Engineer is authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(B) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or to refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.11 WEIGHT LIMITS; PARKING OF TRACTORS AND TRAILERS.

When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts set out hereafter at any time upon any street described below:

(A) Commercial vehicles exceeding 5,000 pounds gross weight shall be restricted at all times to those streets, or parts of streets, designated from time to time as limited to such load, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise; truck and road tractors permitted to be parked at the operator's residence may be operated thereon for the purpose of traveling to or from the operator's residence and then only by entering such streets at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter. This restriction does not apply to local public passenger bus operations.

(B) Except on state highways or state-controlled highways, no commercial vehicle with a gross weight in excess of 10,000 pounds shall be operated in any residence district in the town between the hours of 5:30 p.m. and 7:00 a.m.; provided, in the event that this restriction shall result in the undue hardship or unfair competition, the Town Manager, or in the absence of such Town Manager, the Chief of Police, shall have the power to authorize the issuance of special permits from

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time to time, as deemed necessary for the protection of the rights of any individual, and further provided that this restriction shall not apply to truck tractors and road tractors permitted to be parked at the operator's residence while such truck tractor or road tractor is being driven directly to or from the operator's residence.

(C) It is hereby declared to be unlawful and illegal to park, to leave standing, or to leave unattended a trailer, as said term is hereinafter defined, except:

(1) For the purpose of loading or unloading; and

(2) On privately-owned industrially-zoned real estate where the owner of said real estate has previously granted permission for such parking in writing, and such written permission is on file with the Town Police Department.

(3) For the purposes of fund-raising activities carried on by not-for-profit organizations within the town. The not-for-profit organization shall petition the Town Council for approval consideration and to park trucks, trailers and tractors of an amusement company or companies, carnival or circus, in connection with the fund-raising activities of the not-for-profit organization. No approval shall be granted for a period of time exceeding seven days per calendar year. The petition or request for consideration and approval of the Town Council shall be on a form and in the manner prescribed by the town.

(D) It is hereby declared to be unlawful, illegal, and an infraction to park, to leave standing, or to leave unattended a tractor or truck, as said term is hereinafter defined, except:

(1) For the purpose of loading or unloading;

(2) On commercially-zoned real estate owned by the operator of the truck or tractor or owned by a member of his immediate family where no part of the truck or tractor extends beyond the front of the commercial building;

(3) On privately-owned industrially-zoned real estate where the owner of said real estate has previously granted permission for such parking in writing, and such written permission is on file with the Town Police Department;

(4) In case of an emergency; or

(5) On residentially-zoned real estate owned or leased by the operator of the truck or tractor or a member of his immediate family where all of the following conditions are met:

(a) The residence on said property is the personal residence of the operator of the truck or tractor; and

(b) The operator of the truck or tractor was a resident prior to November 30, 1988;

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(c) The operator of the truck or tractor had previously parked his truck or tractor at that residence;

(d) The operator of the truck or tractor applies for and is granted a permit to park said truck or tractor at said residence by the Town Manager within 30 days of November 30, 1988.

(e) No part of the truck or tractor extends beyond the front of said residence; and

(f) The parking shall be in conformance with all other provisions of the Town Code, including the zoning code.

(E) Definitions. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "POLE TRAILER." Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly-shaped loads, such as poles, pipes, or structural members, capable generally of sustaining themselves as beams between the supporting connections.

(2) "ROAD TRACTOR." Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon, either independently or any part of the weight of a vehicle so drawn.

(3) "SEMI-TRAILER." Every vehicle with or without motive power, designed to be used in conjunction with a fifth wheel, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

(4) "TRUCK TRACTOR." Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(F) No motor vehicle of any kind shall be parked in parkways or grassy areas adjacent to or abutting on public ways in residential areas.

(G) Commencing on January 1, 1989, no vehicle shall be parked in parkways or grassy areas adjacent to or abutting on public ways in commercial or industrial areas.

(H) No truck or tractor shall be allowed to continue to operate the motor of the unit for longer than ten minutes after parking the truck or tractor at their residence nor longer than 30 minutes prior to leaving their residence with said truck or tractor.

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(I) The permits granted pursuant to division (D)(5) above may not be transferred. The permit shall expire when the operator/resident ceases to own or lease the residence.

(J) This section shall not be construed as creating any exception to the zoning code of the town, nor to create any right in any person under said code.

(K) Each day any vehicle or part of a vehicle is in violation shall be deemed a new and separate violation.

(L) Any trailer or tractor found in violation of this section shall be towed and impounded at the owner's expense.
(Ord. 306, passed 4-8-81; Am. Ord. 467, passed 11-30-88; Am. Ord. 481, passed 4-26-89; Am. Ord. 509, passed 5-9-90)

Statutory reference:

Authority to regulate weight, see IC 9-20-1-3

§ 71.12 SPEED LIMITS.

(A) It is determined, upon the basis of an engineering and traffic investigation, that the speed permitted by state law upon those streets or portions thereof described in the speed schedule as established and amended from time to time, is less than is necessary for the safe operation of vehicles thereon, by reason of the designation and signposting of such streets as through highways, or by reason of widely spaced intersections.

(B) It is declared that the prima facie speed limit upon those streets or portions thereof described in the speed schedule shall be as therein stated, which speeds so declared shall be effective at the time specified therein when signs are erected giving notice thereof.

(C) The following speed schedule shall be applicable where specifically designated, namely:

Lauerman St. between W-137 Ave. and W-147 Ave. 30 m.p.h. ;
W-142 Pl. between Lauerman St. and Parrish Ave. 20 m.p.h. ;
W-142 Ave. between Lauerman St. and Parrish Ave. 20 m.p.h. ;
W-141 Ave. between Lauerman St. and Parrish Ave. 30 m.p.h. ;
W-137 Ave. between Lauerman St. and Parrish Ave. 30 m.p.h. ;
Parrish Ave. between W-137 Ave. and 14900 Block 40 m.p.h. ;
Parrish Ave. between W-137 Ave. and 13400 Block 30 m.p.h. ;
Parrish Ave. between W-133 Ave. and 13400 Block School Zone 20 m.p.h. ;
Parrish Ave. between W-133 Ave. and W-125 Ave. 30 m.p.h. ;
W-129 Ave. between Parrish Ave. and Wicker Ave. 30 m.p.h. ;
W-133 Ave. between Parrish Ave. and Lake Shore Drive 30 m.p.h. ;
W-133 Ave. between Parrish Ave. and 9900 Block School Zone 20 m.p.h. ;

W-133 Ave. between 9900 Block and 11500 Block 30 m.p.h.;
Alexander St. between W-129 Ave. and 12500 Block 30 m.p.h.;
W-129 Ave. between Wicker Ave. and 11500 Block 30 m.p.h.;
W-126 Ave. between Wicker Ave. and Magoun Road;
W-131 Pl. between Wicker Ave. and 11500 Block 20 m.p.h.;

W-132 Ave. between Wicker Ave. and 11500 Block 20 m.p.h.;

W-135 Pl. between Osborne St. and 11500 Block 20 m.p.h.;

Forestdale St. between W-131 Pl. and W-133 Ave. 20 m.p.h.;

Woodmar Pl. between W-133 Ave. and 13400 Block 20 m.p.h.;

Schneider St. between 13100 Block and 13600 Block 20 m.p.h.;

Osborne St. between W-133 Ave. and 13600 Block 20 m.p.h.;

Lindberg St. between W-133 Ave. and W-131 Ave. 20 m.p.h.;

Lake Shore Drive between W-133 Ave. and Morse St. 30 m.p.h.;

Cline Ave. between Lake Shore Drive and W-125 Ave. 30 m.p.h.;

Vermillion between Cline Ave. and Fairbanks St. 20 m.p.h.;

Hill Top St. between Lake Shore Drive and Vermillion 20 m.p.h.;

W-129 Ave. between Hill Top St. and Fairbanks St. 20 m.p.h.;

Fairbanks St. between Vermillion and W-129 Ave. 30 m.p.h.;

Fairbanks St. between W-129 Ave. and W-131 Ave. School Zone 20 m.p.h.;

Fairbanks St. between W-131 Ave. and W-133 Ave. 30 m.p.h.;

W-133 Ave. between Morse St. and Colfax St. 30 m.p.h.;

Morse St. between W-132 Pl. and W-149 Ave. 30 m.p.h.;

W-141 Ave. between Morse St. and 6400 Block 30 m.p.h.;

W-144 Ave. between Morse St. and Riskin Road 30 m.p.h.;

W-145 Ave. between Morse St. and Colfax St. 30 m.p.h.;

W-149 Ave. between Morse St. and Reeder Road 30 m.p.h.;

Reeder Road between W-149 Ave. and Riskin Road 30 m.p.h.;

W-145 Ave. between Morse St. and Lake Shore Drive 30 m.p.h.;

Lake Shore Drive between W-145 Ave. and Cline Ave. 30 m.p.h.;

W-147 Ave. between Cline Ave. and Lauerman St. 30 m.p.h.;

Cline Ave. between Lake Shore Drive and W-147 Ct. 20 m.p.h.;

Dewey St. between Lake Shore Drive and W-147 Ct. 20 m.p.h.;

Lee St. between Lake Shore Drive and W-147 Ct. 20 m.p.h.;

Bryan St. between W-145 Ave. and W-147 Ct. 20 m.p.h.;

Blaine St. between W-145 Ave. and W-147 Ct. 20 m.p.h.;

W-134 Ave. between Morse St. and Sherman St. 20 m.p.h.;

W-134 Pl. between Morse St. and Cedar St. 20 m.p.h.;

Cedar St. between W-134 Pl. and 13600 Block 20 m.p.h.;

Knight St. between W-134 Pl. and W-136 Ave. 20 m.p.h.;

W-135 Pl. between Knight St. and Dewey St. 20 m.p.h.;

W-135 Ave. between Morse St. and Sherman St. 20 m.p.h.;

W-136 Ave. between Morse St. and Cedar St. 20 m.p.h.;

W-136 Pl. between Morse St. and Cedar St. 20 m.p.h.;

Cedar St. between W-136 Ave. and W-136 Pl. 20 m.p.h.;

W-136 Ln. between Morse St. and Cedar Lake 20 m.p.h.;

W-136 Ct. between Morse St. and Cedar Lake 20 m.p.h.;

W-137 Ave. between Morse St. and Cedar Lake 20 m.p.h.;

W-137 Pl. between Morse St. and 6600 Block 20 m.p.h.;

W-137 Ln. between Morse St. and 6600 Block 20 m.p.h.;

W-138 Ave. between Morse St. and 6600 Block 20 m.p.h.;

W-138 Pl. (Constitution Ave.) between Morse St. and Binyon Road 20 m.p.h.;

W-138 Ln. between Morse St. and Binyon Road 20 m.p.h.;

Binyon Road between Morse St. and W-138 Pl. 20 m.p.h.;

Laque Drive between Binyon Road and Cedar Lake 20 m.p.h. ;
W-140 Ave. between Binyon Road and Laque Drive 20 m.p.h. ;
W-140 Pl. between Morse St. and Cedar Lake 20 m.p.h. ;
W-141 Pl. between Morse St. and Cedar Lake 20 m.p.h. ;
W-142 Ave. between Morse St. and Cedar Lake 20 m.p.h. ;

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King Drive between 7400 Block and 7600 Block 20 m.p.h.;

W-143 Ave. between Morse St. and Cedar Lake 20 m.p.h.;

W-143 Pl. between Morse St. and Beach Drive 20 m.p.h.;

W-143 Ln. between Morse St. and Beach Drive 20 m.p.h.;

W-140 Ave. between Morse St. and Edison St. 20 m.p.h.;

Edison St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Rocklin St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Sherman St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Fairbanks St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Windsor St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Hobart St. between W-141 Ave. and W-139 Ave. 20 m.p.h.;

Wheeler St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Berkley St. between W-141 Ave. and Fernwood St. 20 m.p.h.;

Riskin Road between 14300 Block and Reeder Road 20 m.p.h.;

Dragus Drive between Riskin Road and Riskin Road 20 m.p.h.;

Wheeler St. between W-144 Ave. and W-146 Ave. 20 m.p.h.;

Colfax St. between W-145 Ave. and W-146 Ave. 20 m.p.h.;

Windsor St. between W-144 Ave. and W-145 Ave. 20 m.p.h.;

Hobart St. between 14300 Block and W-145 Ave. 20 m.p.h.;

Fulton St. between W-129 Pl. and Beverly Drive 20 m.p.h.;

W-128 Ln. between Fairbanks St. and Hill Top St. 20 m.p.h.;

W-128 Pl. between Fairbanks St. and Hill Top St. 20 m.p.h.;

W-128 Ave. between Fairbanks St. and Hill Top St. 20 m.p.h.;

W-127 Pl. between Edison St. and Hill Top St. 20 m.p.h.;

W-128 Ave. between Hill Top St. and Knight St. 20 m.p.h.;

W-128 Ave. between Cline Ave. and Wrightwood St. 20 m.p.h.;

W-127 Ave. between Cline Ave. and Wrightwood St. 20 m.p.h.;

W-126 Pl. between Cline Ave. and Wrightwood St. 20 m.p.h.;

W-126 Pl. between Cline Ave. and Maple St. 20 m.p.h.;

W-144 Ave. between Morse Street and Riskin Road 20 m.p.h.;

Greenleaf Street, between W. 140th Place and W. 141st Place 20 m.p.h.

Osborne Street, from W-133 Ave. to W-135 Ave., 20 m.p.h.

All construction zones, 20 m.p.h.

(Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91; Am. Ord. 605, passed 3-1-94; Am. Ord. 631, passed 10-18-94; Am. Ord. 685, passed 6-25-96)

§ 71.13 PUBLIC SCHOOL GROUNDS.

The following regulations shall govern all traffic on public school grounds:

(A) The speed limit shall be 15 miles per hour on all driveways.

(B) No parking, except for bus loading and unloading, in areas designated with yellow painted curb and where signs are posted.

(C) No parking areas at various locations, including but not limited to, fieldhouse, football field, baseball field, and the like, as designated by posting.

(D) Traffic flow or one-way drives in the direction where designated with yellow arrows and posting; and "entrance only" restriction and "exit only" restriction where designated by yellow arrows and posting.

(E) Prohibited driveways and roadways, where designated by posting.

(F) Restricted parking areas, for employees only where designated by posting.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.14 DEPOSITING INJURIOUS MATERIALS ON HIGHWAY PROHIBITED.

(A) No person shall throw or deposit upon any highway any glass bottle, glass, nail, tack, wire, can, or any other substance likely to injure any person, animal, or vehicle upon such highway.

(B) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material, shall immediately remove the same to cause it to be removed.

(C) Any person removing a wrecked or damaged vehicle from a highway shall immediately remove any glass or other injurious substance dropped upon the highway from such vehicle.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.15 TOY VEHICLES.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway, except while crossing a street on a crosswalk, and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of the town.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.16 PLAY STREETS.

The Town Traffic Engineer shall have the authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof, except drivers of vehicles having business or whose residences are within such closed area, and then any such driver shall exercise the greatest care in driving upon any such street or portion thereof.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.17 RIDING ON MOTORCYCLES.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and shall not carry any other person nor shall any person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat, designed for such purposes.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.18 FOLLOWING FIRE APPARATUS.

A person who drives a vehicle that is not on official business shall not follow any fire apparatus traveling in response to a fire alarm at a distance closer than 500 feet or drive into or park a vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(IC 9-21-12-7) (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.19 CROSSING FIRE HOSE.

No vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.20 OBSTRUCTION OF DRIVER'S VIEW PROHIBITED.

(A) A person may not drive a vehicle when any of the following conditions exist:

(1) The vehicle is loaded in a manner or has more than three persons in the front seat so as to obstruct the view of the person who drives the vehicle to the front or sides of the vehicle.

(2) The vehicle is loaded in a manner or has more than three persons in the front seat so as to interfere with the person's control over the driving mechanism of the vehicle.

(B) A passenger in a vehicle shall not ride in a position that interferes with the view ahead or to the sides of the person who drives the vehicle, or interfere with the person's control over the driving mechanism of the vehicle.

(IC 9-21-8-43) (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.21 CLINGING TO VEHICLES.

A person upon a bicycle, coaster, roller skates, or toy vehicle shall not attach the bicycle, coaster, roller skates, or toy vehicle to a vehicle upon a roadway.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.22 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

(A) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red,

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red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

(1) Yield the right-of-way.

(2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.

(3) Stop and remain in the position until the authorized emergency vehicle has passed.

(B) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternatively flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

(1) Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceeding with due caution, reduce the speed of the vehicle*, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

* Editor's note:

IC 9-21-8-35 currently reads "reduce the speed of the vehicle to a speed at least ten miles per hour less than the posted speed limit."

(C) This section shall not operate to relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(IC 9-21-8-35) (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.23 EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING.

The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building, shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, sound his horn and yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.24 REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS.

The driver of a vehicle intending to turn at an intersection shall do so as follows:

(A) Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.

(B) Left turns. A person who drives a vehicle intending to turn at an intersection must:

(1) Make an approach for a left turn in that part of the right half of the roadway nearest the center line of the roadway. After entering the intersection, the person who drives a vehicle must make the left turn so as to leave the intersection to the right of the center line of the roadway being entered.

(2) Make an approach for a left turn from a two-way street into a one-way street in that part of the right half of the roadway nearest the center line of the roadway and pass to the right of the center line where the center line enters the intersection.

(3) Make a left turn from a one-way street into a two-way street by passing to the right of the center line of the street being entered upon leaving the intersection.

(4) Where both streets or roadways are one way, make both the approach for a left turn and a left turn as close as practicable to the left-hand curb or edge of the roadway.

(IC 9-21-8-21) (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.25 OPERATION OF VEHICLE AT STOP SIGN.

(A) When stop signs are erected as herein authorized at or near the entrance to any intersection, every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest

the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.

(B) After the driver of a vehicle has stopped at the entrance to a through highway, the driver shall yield the right-of-way to other vehicles which have entered the intersection from the through highway, or which are approaching so closely on the through highway as to constitute an immediate hazard, but the driver having so yielded may proceed and the driver of all other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle so proceeding into or across the through highway.

(C) After the driver of a vehicle has stopped in obedience to a stop sign at an intersection where a stop sign is erected at one or more entrances thereto, although not a part of a through highway, the driver shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, and may then proceed.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

Statutory reference:

Entering through highway or intersection; obedience to stop signs, see IC 9-21-8-31 and 9-21-8-32

§ 71.26 VEHICLES ENTERING YIELD INTERSECTIONS.

(A) A person who drives a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions or stop if necessary. The person shall yield the right-of-way to a pedestrian legally crossing the roadway and to a vehicle in the intersection or approaching on another highway so closely as to present an immediate hazard. After yielding, the person may proceed, and all other vehicles approaching the intersection shall yield to the vehicle proceeding.

(B) If a person who drives a vehicle is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, the collision is considered prima facie evidence of the person's failure to yield the right-of-way.

(IC 9-21-8-33)

(C) The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection, or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at a point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

(D) The following schedule of public ways, roadways, streets and highways of the town upon which vehicular traffic shall proceed in conformance with a traffic-control device indicating Yield Right of Way shall be applicable where specifically designated, namely:

W-146 Pl. East and West Bound at Bryan St.;
 W-146 Pl. East Bound at Blain St.;
 Ivy Street South into 136th Lane;
 Fir at 133rd Court, East;
 Hobart at 131st Avenue, North;
 Stevenson at 131st Avenue, North;
 Wheeler at 131st Avenue, North;
 Colfax at 130th Avenue, East;
 Colfax at 131st Avenue, East;
 Maple at 126th Place, South;
 Fernwood at Hobart, South;
 Fernwood at Fairbanks, South;
 Lee at 146th Place, West;
 Drummond at 136th Lane, South;
 Forestdale at 132nd Avenue, East, West;
 Forestdale at 131st Place, North;
 Woodmar at 133rd Court, East, West;
 Woodmar at 134th Court, East;
 Foster at 128th Avenue, South.

(Ord. 306, passed 4-8-81; Am. Ord. 530, passed 5-22-91; Am. Ord. 559, passed 10-6-92) Penalty, see § 70.99

PARADES; PROCESSIONS

§ 71.35 DEFINITIONS.

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

"CRUISING." The repeated operation of two or more vehicles in a continuous or nearly continuous flow through a parking lot.

"PARADE." Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the municipality, or "CRUISING" as defined herein.

"PARADE PERMIT." A permit required by this subchapter.

"PARKING LOT." Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers.

§ 71.36 PERMIT REQUIRED.

(A) No procession or parade shall occupy, march, or proceed along any street or public way without a permit issued by the Chief of Police.

(B) All processions or parades must be carried out in accordance with the conditions set out by the Chief of Police. (Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.37 APPLICATION FOR PERMIT.

A person seeking issuance of a parade permit shall file an application with the chief police officer on forms provided by such officer.

(A) Filing period. An application for a parade permit shall be filed with the chief police officer not less than five days or not more than 60 days before the date on which it is proposed to conduct the parade.

(B) The application for a parade permit shall set forth the following information:

(1) The name, address, and telephone number of the person seeking to conduct the parade;

(2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(3) The name, address, and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

(4) The date when the parade is to be conducted;

(5) The route to be traveled, the starting point, and the termination point;

(6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;

(7) The hours when the parade will start and terminate;

(8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;

(9) The location by street of any assembly area for the
parade;
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(10) The time at which units of the parade will begin to assemble at any such assembly area or areas;

(11) The interval of space to be maintained between units of the parade;

(12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file with the chief police officer a communication in writing from the person authorizing the applicant to apply for the permit on his behalf;

(13) Any additional information which the chief police officer shall find reasonably necessary to a fair determination as to whether a permit should issue.

(C) There shall be paid at the time of filing an application for a parade permit a fee of \$3.50.
Penalty, see § 70.99

§ 71.38 STANDARDS FOR ISSUANCE OF PERMIT.

The chief police officer shall issue a permit when, from a consideration of the application and from other information obtained, he finds that:

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(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the municipality to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the municipality;

(C) The conduct of the parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the municipality other than that to be occupied by the proposed line of march and areas contiguous thereto;

(D) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the parade will not interfere with the movement of fire fighting equipment enroute to a fire;

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute;

(G) The parade is not to be held for the sole purpose of advertising any product, goods, or event, and is not designated to be held purely for private profit;

(H) The parade, if it takes the form of cruising, has the approval in writing of the owner or an authorized agent of the owner for the use of the parking lot which is the site of the parade. Penalty, see § 70.99

§ 71.39 NOTICE OF REJECTION OF PERMIT.

The chief police officer shall act on the application for a parade permit within three days, Saturdays, Sundays, and holidays excepted, after filing thereof. If he disapproves the application, he shall mail to the applicant within the three days, Saturdays, Sundays, and holidays excepted, after the date on which the application was filed, a notice of his action stating the reasons for his denial of the permits.

§ 71.40 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the legislative body. The appeal shall be taken within 30 days after notice. The legislative body shall act on

the appeal within 30 days after its receipt.

§ 71.41 ALTERNATIVE PERMIT.

The chief police officer, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall, within three days after notice of the action of the chief police officer, file a written notice of his acceptance with the chief police officer. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

§ 71.42 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, the chief police officer shall send a copy thereof to the following persons:

- (A) The executive;
- (B) The attorney for the municipality;
- (C) The Fire Chief;
- (D) The general manager or responsible head of each public utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.

§ 71.43 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

- (A) Starting time;
 - (B) Minimum speed;
 - (C) Maximum speed;
 - (D) Maximum interval of space to be maintained between the units of the parade;
 - (E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;
 - (F) The maximum length of the parade in miles or fractions thereof;
 - (G) Such other information as the chief police officer shall find necessary to the enforcement of this subchapter.
- Penalty, see § 70.99

§ 71.44 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The

parade chairman or other person heading or leading the activity shall carry the parade permit on his person during the conduct of the parade.

Penalty, see § 70.99

§ 71.45 PUBLIC CONDUCT DURING PARADES.

(A) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in a parade.

(B) Driving through parades. No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(C) Parking on parade route. The chief police officer shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of a parade. The chief police officer shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street or other public thoroughfare unposted in violation of this subchapter.

Penalty, see § 70.99

§ 71.46 REVOCATION OF PERMIT.

The chief police officer shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

§ 71.47 DRIVING THROUGH PROCESSIONS.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in § 71.49. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or by police officers.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.48 MANNER OF DRIVING IN PROCESSION.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical, and shall follow the vehicle ahead as closely as is practical and safe.

(Ord. 306, passed 4-8-81) Penalty, see § 70.99

§ 71.49 FUNERAL PROCESSION IDENTIFICATION.

A funeral composed of a procession of vehicles shall be identified as such by the display in or upon the vehicle by a pennant or other identifying insignia, or by the Traffic Division.
(Ord. 306, passed 4-8-81)

CHAPTER 72: PARKING REGULATIONS

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Cross-reference:

Abandoned vehicles, see Ch. 95

Statutory reference:

Authority to regulate standing, parking of vehicles, see
IC 9-21-1-3(1)

PARKING GENERALLY

§ 72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) No person shall park any vehicle upon a street or in 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 the free movement of vehicular traffic, nor shall any person stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street. Penalty, see § 72.99

§ 72.02 MANNER OF PARKING NEXT TO CURB.

No person shall stand or park a vehicle in a roadway other than parallel with the edge of a roadway headed in the direction of lawful traffic movement, and with the right-hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except as provided in§ § 72.18 and 72.19.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.03 LIMITATIONS OF STOPPING AND PARKING.

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

- (1) On a sidewalk or between the sidewalk and curb;
- (2) In front of a public or private driveway;
- (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 the 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 the Chief of Police has indicated a different length by signs or markings;

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

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

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

(12) On the roadway side of any vehicle stopped or parked at the edge 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 official signs prohibit stopping;
(IC 9-21-16-5)

(15) On the traveled portion of any roadway which does not have a curb or gutter, when such stopping, standing or parking would obstruct traffic.

(B) A person may not move a vehicle not owned by that person into a prohibited area or away from a curb to a distance that is unlawful.

(IC 9-21-16-6)

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.04 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

(C) When signs are erected in compliance with the provisions of division (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

(D) When a curb has been painted in compliance with the provisions of division (F) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(E) When signs are erected in compliance with the provisions of division (F) below, in each block giving notice thereof, no person

shall park a vehicle between the hours specified by official signs on any day except Sundays on any street so marked.
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(F) (1) The chief police officer shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to handicapped parking, it shall be the duty of the chief police officer to erect appropriate signs giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith, the chief police officer may cause the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times to be painted a solid yellow color.

(2) No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

(G) When signs are erected in compliance with division (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.
Penalty, see § 70.99

§ 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The chief police officer is authorized to designate daily street cleaning areas and he shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.
Penalty, see § 70.99

§ 72.06 ALL-NIGHT PARKING.

No person shall park a vehicle on any street in the central business district for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 5:00 a.m. of any day except physicians on emergency calls.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

Cross-reference:

Abandoned vehicles, see Ch. 95

§ 72.07 PARKING ON PARADE ROUTE.

(A) The chief police officer is authorized, whenever in his judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to

that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions.

Penalty, see § 70.99

Cross-reference:

Parades, see §§ 71.35 through 71.49

§ 72.08 PARKING ON OFF-STREET FACILITY.

It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of any such property or facility. If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of the provisions of this section, a warrant may be obtained by the owner, lessee, or person in charge of the property or facility, and the Police Department, on written complaint of the owner, lessee, or person in charge, shall remove the vehicle or cause it to be removed.

Penalty, see § 70.99

§ 72.09 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

Penalty, see § 70.99

§ 72.10 PARKING IN PARKS.

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the municipality not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway.

Penalty, see § 70.99

§ 72.11 DISPLAY OF PARKED VEHICLE FOR SALE.

No person shall park a vehicle upon any street or highway for the purpose of:

(A) Displaying such vehicle for sale; or

(B) Washing, greasing, or repairing such vehicle, except

repairs necessitated by an emergency.
(Ord. 306, passed 4-8-81) Penalty, see § 72.99
1984 Repl.

§ 72.12 FIRE LANES.

(A) No person shall stop, stand, park, or leave a vehicle in, on or within a fire lane designated as defined below.

(B) A fire lane shall be a zone or area designated and prescribed as such by either of the Fire Chief of the Fire Department serving the town, acting in his capacity as Deputy State Fire Marshal, and posted as such by a sign on, in, or adjacent to the fire lanes.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.13 UNATTENDED MOTOR VEHICLE.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key, or when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.14 PARKING ADJACENT TO SCHOOL.

(A) The Chief of Police is authorized to erect signs indicating no parking on either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

(B) When official signs are erected indicating no parking upon either side of a street adjacent to any school property, as authorized herein, no person shall park a vehicle in any such designated place.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.15 PARKING ON NARROW STREETS.

(A) The Chief of Police is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 33 feet.

(B) When official signs prohibiting parking are erected upon narrow streets, as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.16 PARKING ON ONE-WAY STREETS AND ROADWAYS.

(A) The Chief of Police is authorized to erect signs upon either or both sides of any one-way street to prohibit the standing

or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such side in violation of any such sign.

1984 Repl.

(B) In the event a highway includes two or more separate roadways, and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon either or both sides of such one-way roadway, unless signs are erected to permit such standing or parking. The Chief of Police is authorized to determine when standing or parking may be permitted upon the side of any one-way roadway, and to erect signs giving notice thereof. (Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.17 RESTRICTED PARKING NEAR HAZARDOUS OR CONGESTED AREAS.

(A) The Chief of Police is authorized to determine and designate, by proper signs, places not exceeding 150 feet in length, in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(B) When official signs are erected at hazardous or congested places, as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place. (Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.18 ANGLE PARKING.

(A) Designation of permitted areas.

(1) The Chief of Police shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal-aid or state highway within the town unless the State Highway Department has determined by resolution or order, entered in its minutes, that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(2) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(B) Compliance with restrictions required. Upon those streets which have been signed or marked by the Chief of Police for angle parking pursuant to division (A) above, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. The vehicle must enter the parking space with a forward movement. (Ord. 306, passed 4-8-81) Penalty, see § 72.99

Statutory reference:

Authority to regulate angle parking, see IC 9-21-16-7

§ 72.19 PERMIT FOR PURPOSES OF LOADING OR UNLOADING.

(A) The Chief of Police is authorized to use special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials, subject to the terms and

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conditions of such permit. Such permits may be issued either to the owner or lessee of real property, or to the owner of the vehicle, and shall grant to such person the privilege as therein stated and authorized herein.

(B) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit. (Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.20 CURB LOADING ZONES.

The Chief of Police is authorized to determine the location of passenger and freight curb loading zones, and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable. (Ord. 306, passed 4-8-81)

§ 72.21 LIGHTS ON PARKED VEHICLES.

(A) Whenever a vehicle is lawfully parked at nighttime upon any street within a business or residence district, no lights need be displayed upon such parked vehicle.

(B) Whenever a vehicle is parked upon a street or highway outside of a business or residence district during the hours between 1/2 hour after sunset and 1/2 hour before sunrise, such vehicle shall be equipped with one or more lamps which shall exhibit a white light on the roadway side visible from a distance of 500 feet to the front of the vehicle, and a red light on the roadway side visible from a distance of 500 feet to the rear.

(C) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. (Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.22 PROHIBITING PARKING ON EITHER OR BOTH SIDES OF STREET.

(A) The Chief of Police is authorized to prohibit parking on either or both sides of any street in the town, between the hours and on the days of the week specified by him, and to erect signs so indicating.

(B) When appropriate signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle at any time during the hours or on the days indicated or for a longer time than indicated as the case may be. (Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.23 PROHIBITING STANDING OR PARKING AT ALL TIMES.

The provisions of this chapter prohibiting the standing or parking of a vehicle shall apply at all times, or at those times herein specified or as indicated on official signs, except when it

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is necessary to stop a vehicle to avoid conflict with other traffic, or in compliance with the directions of a police officer or official traffic-control device.

(Ord. 306, passed 4-8-81)

§ 72.24 REGULATIONS NOT EXCLUSIVE.

The provisions of this chapter, imposing a time limit on parking, shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

(Ord. 306, passed 4-8-81)

§ 72.25 POSTING OF PARKING SIGNS REQUIRED.

Whenever by this or any other ordinance of the town any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the Chief of Police to erect appropriate signs giving notice thereof, and no such regulation shall be effective unless such signs are erected and in place at the time of any alleged offense.

(Ord. 306, passed 4-8-81)

SNOW EMERGENCY REGULATIONS

§ 72.30 TITLE.

These regulations shall be known, and may be cited as the Snow Emergency Regulations for the town.

(Ord. 603, passed 3-1-94)

§ 72.31 DEFINITIONS.

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

"ROADWAY." That portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

"SNOW EMERGENCY." Any weather event of falling snow, sleet, or freezing rain, occurring within the town, at any time.

"SNOW EMERGENCY ROUTES." All public roadways within the municipal corporate boundaries of the town.

(Ord. 603, passed 3-1-94; Am. Ord. 1081, passed 2-16-10)

§ 72.32 DECLARATION OF PARKING PROHIBITION ON SNOW EMERGENCY ROUTES.

(A) In the event of any falling snow, sleet, or freezing rain, occurring within the town, at any time, a parking prohibition on all

snow emergency routes in the town shall immediately be in effect.

(B) Once a parking prohibition is in effect as described in this subchapter, as amended from time to time, the parking prohibition shall remain in effect until the falling snow, sleet, or freezing rain has been cleared entirely on the snow emergency route from curb to curb for the length of an entire block, and the falling snow, sleet, or freezing rain weather conditions have completely terminated. While the parking prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies. However, nothing in this subchapter shall be construed to permit parking at any time or place where it is prohibited by any other provision of law.

(C) Any provision of this subchapter, as amended from time to time, which becomes effective upon the occurrence of certain weather conditions shall, while in effect, take precedence over other conflicting provisions of law normally in effect. However, any provisions of this subchapter, amended from time to time, which becomes effective upon the occurrence of certain weather conditions, shall not take precedence over provisions of law relating to traffic accidents, emergency travel, authorized emergency vehicles, or emergency traffic directions issued by a police officer.
(Ord. 603, passed 3-1-94) Penalty, see § 72.99

§ 72.33 SIGNS TO MARK SNOW EMERGENCY ROUTES.

On each street designated by this section, as amended from time to time, as a snow emergency route, the Town Council may direct the posting of appropriate special signs. These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the public roadways where so posted.
(Ord. 603, passed 3-1-94; Am. Ord. 1081, passed 2-16-10)

§ 72.34 STALLED VEHICLE ON SNOW EMERGENCY ROUTE.

Whenever a vehicle becomes stalled for any reason, whether or not in violation of this subchapter, as amended from time to time, on any part of a snow emergency route on which there is a covering of snow, sleet, or ice, or on which there is a parking prohibition in effect, the person operating the vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of the snow emergency route, either into the first cross street which is not a snow emergency route, or onto the public space of a nearby driveway. No person shall abandon or leave his vehicle in the roadway of a snow emergency route (regardless of whether he indicates by raising the hood or otherwise that the vehicle is stalled), except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station, or other place of assistance and return without delay.
(Ord. 603, passed 3-1-94) Penalty, see § 72.99

§ 72.35 REMOVAL AND IMPOUNDMENT OF VEHICLES.

(A) Members of the Police Department are hereby authorized to remove, or have removed, a vehicle from a snow emergency route to the nearest garage or other place of safety, including another place on a street, or to a garage designated or maintained by the Police Department, or otherwise maintained by the town, under the following circumstances or conditions.

(1) The vehicle is parked on a part of a snow emergency route on which a parking prohibition is in effect.

(2) The vehicle is stalled on a part of a snow, sleet, or ice or on which there is a parking prohibition in effect and the person who was operating the vehicle does not appear to be removing it in accordance with the provisions of this subchapter, as amended from time to time.

(3) The vehicle is parked in violation of any parking ordinance or other provision of law, and is interfering or about to interfere with snow removal operations.

(B) Whenever a member of the Police Department removes or has removed a vehicle from a street as authorized in this section, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, the officer shall immediately give or cause to be given notice in writing to the owner thereof, the fact of the removal, the reasons therefore, and the place to which the vehicle has been removed. In the event the vehicle is stored in a public garage, a copy of the notice shall be given to the proprietor of the garage.

(C) Whenever a member of the Police Department removes or has removed a vehicle from a street as authorized under this section, and the officer does not know or is not able to ascertain the name of the owner, or for any other reason is unable to give notice to the owner as provided in division (B) above, and in the event the vehicle is not returned to the owner within a period of three days, then the officer shall immediately send or cause to be sent a written report of the removal by mail to the Bureau of Motor Vehicles, whose duty it is to register motor vehicles, and shall file a copy of the notice with the proprietor of any public garage in which the vehicle may be stored. The notice shall include a complete description of the vehicle, the date, time, and place from which it was removed, the reasons for the removal, and the name of the garage or place where the vehicle is stored.

(D) It shall be the duty of the Police Department to keep a record of each vehicle removed in accordance with this section. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and last operator, if known, its final disposition, and the parking violation involved.

(E) This section shall be supplemental to any other provisions of law granting members of the Police Department authority to remove vehicles.

(Ord. 603, passed 3-1-94)

§ 72.36 RECOVERY OF IMPOUNDED VEHICLES.

No person shall recover any vehicle removed in accordance with this section, as amended from time to time, except as provided herein. Before the owner or person in charge of the vehicle shall be allowed to recover it from the place where it has been placed or impounded, he shall present to a member of the Police Department evidence of his identity and right to possession of the vehicle; sign a receipt for its return; pay the cost of removal, and pay any cost of storage accrued.

(Ord. 603, passed 3-1-94)

§ 72.37 CITATION ON VEHICLES IN VIOLATION.

Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this subchapter, as amended from time to time, and is not removed and impounded as provided for in this subchapter, the police officer finding the vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user and shall conspicuously affix and issue a uniform traffic summons.

(Ord. 603, passed 3-1-94)

§ 72.38 EVIDENCE THAT VEHICLE WAS IN VIOLATION.

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this subchapter, as amended from time to time, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this subchapter, together with proof that the defendant named in the complaint was at the time the registered owner of the vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this subchapter, as amended from time to time.

(Ord. 603, passed 3-1-94)

§ 72.39 DESIGNATION OF SNOW EMERGENCY ROUTES.

All streets or portions of streets within the town are hereby designated as snow emergency routes.

(Ord. 603, passed 3-1-94; Am. Ord. 1081, passed 2-16-10)

BUSES; TAXICABS

§ 72.40 PUBLIC CARRIER STOPS AND STANDS.

The Chief of Police is authorized and required to establish bus stops, bus stands, taxicab stands, and stands for other passenger,

common-carrier motor vehicles on such public streets in such places
and

in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs.

(Ord. 306, passed 4-8-81)

§ 72.41 RESTRICTIONS ON BUSES AND TAXICABS.

(A) The operator of a bus other than a school bus, shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(B) The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand, or passenger loading zone so designated as provided herein, except in case of an emergency.

(C) The operator of a bus shall enter a bus stop, bus stand, or passenger loading zone 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 such vehicle not further than 18 inches from the curb, and the bus approximately parallel to the curb, so as not to unduly impede the movement of other vehicular traffic.

(D) The operator of a taxicab shall not stand or park such vehicle upon any street, at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of, and while actually engaged in, the expeditious loading or unloading of passengers.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.42 USE OF STANDS BY OTHERS RESTRICTED.

No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that 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 taxicab waiting to enter or about to enter such zone.

(Ord. 306, passed 4-8-81) Penalty, see § 72.99

§ 72.99 PENALTY.

(A) Any person who shall violate any of the provisions of this

chapter, for which no other penalty is provided, shall upon conviction, be fined as provided below. Each such violation shall constitute a separate offense and each day the violation continues shall be a separate offense.

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- (1) First violation shall be a minimum fine not less than \$25.
 - (2) Second violation shall be a minimum fine not less than \$50.
 - (3) Third and subsequent violation shall be a minimum fine not less than \$100. (Ord. 306, passed 4-8-81; Am. Ord. 437, passed 3-11-87; Am. Ord. 986, passed 3-6-07)
- (B) Every person found liable of a violation of any provision of §§ 72.30 through 72.39, as amended from time to time, shall be punished by a fine of not more than \$500, or less than \$50. (Ord. 603, passed 3-1-94)

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Section

- 73.01 Scope
- 73.02 Obedience to traffic-control devices required
- 73.03 Parent's responsibility
- 73.04 Traffic laws to apply
- 73.05 Riding on roadways and bikepaths
- 73.06 Registration and licensing of bicycle
- 73.07 Abandonment of bicycles
- 73.08 Riding on sidewalks
- 73.09 Weaving
- 73.10 Signal required upon overtaking, passing pedestrians
- 73.11 Trick riding
- 73.12 Speed
- 73.13 Parking restrictions
- 73.14 Number of riders
- 73.15 Required equipment

- 73.99 Penalty

Statutory reference:

- Authority to regulate bicycles, see IC 9-21-1-3
- Bicycles, see IC 9-21-11

§ 73.01 SCOPE.

The provisions of this chapter shall apply whenever a bicycle is operated upon any street, sidewalk, alley, or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.
(Ord. 306, passed 4-8-81)

§ 73.02 OBEDIENCE TO TRAFFIC-CONTROL DEVICES REQUIRED.

Operators of bicycles shall obey the directions and instructions of official traffic-control devices and signals applicable to vehicles, unless otherwise directed by a police officer.
(Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.03 PARENT'S RESPONSIBILITY.

No parent or guardian shall authorize or knowingly permit his child or ward to violate any of the provisions of this chapter.
(Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.04 TRAFFIC LAWS TO APPLY.

Operators of bicycles, when on a public highway, shall conform to the rules and regulations established for the operation of motor vehicles

(Ord. 306, passed 4-8-81)

§ 73.05 RIDING ON ROADWAYS AND BIKEPATHS.

(A) Bicycles shall be operated as close to the right-hand edge of the highway as is possible, and in single file when passing other vehicles, parked or moving, or any other considerable object in the highway.

(Ord. 306, passed 4-8-81) Penalty, see § 73.99

(B) Whenever a bikepath has been provided for the exclusive use of bicycles, bicycle operators shall use the bikepath. Penalty, see § 73.99

§ 73.06 REGISTRATION AND LICENSING OF BICYCLE.

(A) Every bicycle either owned by a resident of the town or stored within the town (excepting bicycles held primarily for resale in the ordinary course of business) shall be registered and licensed. Every owner of such a bicycle shall register the same with the Department of Police and shall complete such registration forms as are adopted from time to time by the Clerk-Treasurer. The Clerk-Treasurer shall issue a license to each applicant who has completed the registration form and paid the license fee, which license shall be affixed to and be maintained upon the bicycle registered for license.

(B) Every person who owns or stores a bicycle within the town on the effective date of this chapter shall register and license his bicycle within 60 days following the effective date; thereafter every person subject to this section shall register his bicycle and obtain a license within 30 days after becoming the owner of the bicycle or commencing the storage of the bicycle. A license shall expire on June 30 of the second year following the year of registration and issuance of license. Each bicycle shall be reregistered and relicensed on or before the expiration of any existing license and the renewal shall be for a like term not to exceed two years.

(C) Each person filing an application for registration and issuance of a license shall pay a fee of \$1 for each bicycle so registered and licensed.

(Ord. 306, passed 4-8-81)

§ 73.07 ABANDONMENT OF BICYCLES.

(A) Every bicycle abandoned within the town shall be delivered to the Department of Police for safekeeping.

(B) If the bicycle is identified as to ownership, the Department of Police shall give reasonable notice to the owner and release the same to him upon request. If the bicycle is not identified as to ownership, the Department of Police shall make up a

written notice and description of each bicycle so held and post the same at the Department of Police, and shall release the same to the owner upon his request, providing satisfactory evidence of the ownership of the bicycle is first established.

(C) Any bicycle which is unidentified or unclaimed following a period of 60 days after posting of notice shall be sold or disposed of in a manner determined by the Police Commission, and any proceeds of sale, after expenses, shall be delivered to the Clerk-Treasurer for deposit to the police pension fund as miscellaneous revenue. (Ord. 306, passed 4-8-81)

Cross-reference:

Police pension fund, see § 32.37

§ 73.08 RIDING ON SIDEWALKS.

When a person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.09 WEAVING.

No operator shall cause or permit a bicycle to curve to and from. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.10 SIGNAL REQUIRED UPON OVERTAKING, PASSING PEDESTRIANS.

Persons riding bicycles shall give an audible signal a reasonable distance before overtaking and passing a pedestrian. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.11 TRICK RIDING.

The hands of the operator of a bicycle shall be on the handlebars at all times, except while in the act of signaling. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.12 SPEED.

No person shall operate a bicycle at a speed greater than that which permits him to bring his vehicle to a stop within the assured clear distance ahead. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.13 PARKING RESTRICTIONS.

No person shall park a bicycle upon a street other than upon the highway against the curb or upon a sidewalk in a rack to support the bicycle or against a building or at the curb in such a manner as to afford the least obstruction to vehicular or pedestrian traffic. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

§ 73.14 NUMBER OF RIDERS.

No more than one person shall ride upon a bicycle, unless the bicycle is designed and manufactured to carry more than one person. (Ord. 306, passed 4-8-81) Penalty, see § 73.99

Statutory reference:

Number of passengers, see IC 9-21-11-4

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§ 73.15 REQUIRED EQUIPMENT.

(A) Lights, reflectors. Bicycles, while being operated during the period from one-half hour after sunset until one-half hour before sunrise, shall display a white light on the front thereof, which shall be securely fastened to the bicycle, and plainly discernible from a distance of 500 feet ahead, as well as a red light or reflector on the rear thereof, which shall be plainly visible at night or, in the case of a reflector, visible in the lawful lights of motor vehicles for a distance of 500 feet to the rear.

(B) Warning devices.

(1) Required equipment. No person shall ride a bicycle, unless it is equipped with a suitable bell or other warning device audible for a distance of 100 feet or more.

(2) Prohibited equipment. No person riding a bicycle shall have a whistle or siren as a warning device.

(C) Brakes. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(Ord. 306, passed 4-8-81) Penalty, see § 73.99

Statutory reference:

Lamps and brakes, see IC 9-22-11-9 and 9-21-11-10

Audible signal, see IC 9-21-11-8

§ 73.99 PENALTY.

(A) (1) Any person violating any of the provisions of this chapter, relating to bicycles for which another penalty is not provided, shall be penalized as follows:

(a) First violation shall be a minimum fine not less than \$2.

(b) Second violation shall be a minimum fine not less than \$10.

(c) Third and subsequent violation shall be a minimum fine not less than \$15.

(2) Each calendar year shall be deemed to be a new period for the imposition of offenses regardless of any such offenses in prior calendar years. A parent or guardian who authorizes or knowingly permits his child or ward to violate any of the provisions of this chapter also shall be liable for the fines set forth above.

(B) Upon the violation of any of the provisions of this chapter relating to bicycles, by any person, the owner of the bicycle which was being used by such person at the time of the violation, may voluntarily deliver, surrender, and turn such bicycle over to the Police Department

for impoundment for a period not exceeding 30 days; provided, if the person committing such violation is under the age of 17 and the prosecution for the violation would be handled under the statute therefore provided, the Chief of Police at his discretion may determine that such voluntary impoundment of the bicycle is sufficient deterrent and punishment to the person so violating and thereupon may refuse to prosecute for such violation.
(Ord. 306, passed 4-8-81; Am. Ord. 986, passed 3-6-07)

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CHAPTER 74: PEDESTRIANS

Section

- 74.01 Subject to traffic-control signals
- 74.02 Crossing at right angles
- 74.03 Crossing prohibited at certain places
- 74.04 Right-of-way in crosswalks
- 74.05 Use of right half of crosswalk
- 74.06 Duty to yield
- 74.07 Walking along roadways
- 74.08 Soliciting rides
- 74.09 Drivers to use due care

- 74.99 Penalty

Cross-reference:

Pedestrian ways in mobile home parks, see § 152.31

§ 74.01 SUBJECT TO TRAFFIC-CONTROL SIGNALS.

Where traffic-control signals are erected, pedestrians shall be subject to such signals, but at all other places they shall be granted those rights and be subject to the restrictions stated in this chapter.

(Ord. 306, passed 4-8-81)

Cross-reference:

Pedestrian-control signals, see § 70.25

§ 74.02 CROSSING AT RIGHT ANGLES.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb, or by the shortest route to the opposite curb, except in a crosswalk.

(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.03 CROSSING PROHIBITED AT CERTAIN PLACES.

(A) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk. (IC 9-21-17-9)

(B) No pedestrian shall cross a roadway other than in a crosswalk in the central traffic district or in any business district.

(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.04 RIGHT-OF-WAY IN CROSSWALKS.

(A) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way,

slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk, when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. However, no pedestrian shall suddenly

suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard. A pedestrian's right-of-way in a crosswalk is modified under the conditions as stated in § 74.06(B).

(IC 9-21-17-5)

(B) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(IC 9-21-17-6)

(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.05 USE OF RIGHT HALF OF CROSSWALK.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(IC 9-21-17-11) (Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.06 DUTY TO YIELD.

(A) A pedestrian crossing a roadway at a point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(IC 9-21-17-7)

(B) A pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(IC 9-21-17-8)

(C) The foregoing rules in this section have no application under the conditions stated in § 74.03, when pedestrians are prohibited from crossing at certain designated places.

(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.07 WALKING ALONG ROADWAYS.

(A) If a sidewalk is provided and the sidewalk's use is practicable, a pedestrian may not walk along and upon an adjacent highway.

(IC 9-21-17-12)

(B) If a sidewalk is not available, a pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(IC 9-21-17-13)

(C) If neither a sidewalk nor a shoulder is available, a

pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway. If roadway is two-way, the pedestrian shall walk only on the left side of the roadway.
(IC 9-21-17-14)
(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.08 SOLICITING RIDES.

(A) A person may not stand in a roadway for the purpose of soliciting a ride from a person who drives a vehicle unless the person soliciting a ride is faced with an emergency on the roadway, in which case the person may secure a ride to obtain assistance.
(IC 9-21-17-16)

(B) A person may not stand on a highway for the purpose of soliciting employment or business from the occupant of a vehicle.
(IC 9-21-17-17)

(C) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle that is parked or about to be parked on a street or roadway.
(IC 9-21-17-18)
(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.09 DRIVERS TO USE DUE CARE.

Notwithstanding other provisions of this chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, shall give warning by sounding the horn when necessary, and shall exercise proper precaution when observing any child or any confused or incapacitated person upon a roadway.
(Ord. 306, passed 4-8-81) Penalty, see § 74.99

§ 74.99 PENALTY.

(A) Any pedestrian violating any of t set forth the name of the owner of the property, the correct legal description of the property, a brief summary of the violation, a statement that the applicable surcharge, or surcharges, as the case may be, depending upon which is applicable, is assessed against the user and the property, and a statement that the violation of this section, as amended from time to time, is a continuing one until the property is brought into compliance. Any subsequent purchaser of the property described in the notice of violation shall take title subject to such violation and shall be responsible for compliance with the terms of the sections set out therein and the payment of any surcharges due by reason of such violations.

(1) First violation shall be a minimum fine not less than \$25.

(2) Second violation shall be a minimum fine not less than \$50.

(3) Third and subsequent violation shall be a minimum fine

not less than \$75.

(B) Within 15 days after a user, who has had a notice of violation of town ordinance recorded against property in violation of (Am. Ord. 986, passed 3-6-07)

CHAPTER 75: RAILROADS

Section

75.01 Definitions
75.02 Light required at crossing
75.03 Exceptions

75.99 Penalty

§ 75.01 DEFINITIONS.

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

"CROSSING" or "RAILROAD CROSSING." A crossing of tracks and a thoroughfare, street, or highway.

"RAILROAD COMPANY." Any person, persons, firm, partnership, association, corporation, company, or organization of any kind owning, operating, controlling, managing, or maintaining railroad equipment or tracks, other than street railroads, interurban railroads, or suburban street railroads.

"ROLLING STOCK." Any locomotive, engine, car, or train of cars that pass over or along railroad companies' right-of-way.

"STREET LIGHT." Such illumination for crossings as is equal in intensity to that used by the town at its other street crossings generally.

"TRACK." The structure upon which rolling stock is operated.
('82 Code, § 25-100)

§ 75.02 LIGHT REQUIRED AT CROSSING.

Any railroad company running rolling stock over any crossing or railroad crossing in the town, after dark, shall provide and maintain a street light at the crossing, or railroad crossing, which shall be lit after dark during the passage of any such rolling stock and for at least 30 minutes prior thereto.

('82 Code, § 25-200) Penalty, see § 75.99

§ 75.03 EXCEPTIONS.

Where a new installation is required by this chapter and cannot be obtained or maintained because of conditions or circumstances beyond the control of the railroad company responsible for the installation, the Board of Trustees of the town may, upon petition from the railroad company, extend and reextend the time for periods not exceeding 30 days.

('82 Code, § 25-201)

§ 75.99 PENALTY.

(A) Any railroad company violating any provisions of this chapter shall be deemed guilty of an infraction and upon conviction thereof shall be fined as set forth below.

(1) First violation shall be a minimum fine not less than \$100.

(2) Second violation shall be a minimum fine not less than \$500.

(3) Third and subsequent violation shall be a minimum fine not less than \$1,000.

(B) Each ten days such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

('82 Code, § 25-900) (Am. Ord. 986, passed 3-6-07)

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CHAPTER 76: OFF-ROAD VEHICLES; SNOWMOBILES

Section

Off-Road Vehicles

- 76.01 Administration and enforcement of regulations
- 76.02 Adoption
- 76.03 Definitions
- 76.04 Registration required
- 76.05 Operation on public highways and rights-of-ways;
conditions
- 76.06 Lighting and brakes
- 76.07 Restrictions on operation
- 76.08 Accident reports
- 76.09 Enforcement

Snowmobiles

- 76.20 Adoption
- 76.21 Registration required
- 76.22 Nonresidents; registration in another state or country
- 76.23 Operation on public highways and rights-of-way;
conditions
- 76.24 Lighting and brakes
- 76.25 Restrictions on operation
- 76.26 Accident reports
- 76.27 Enforcement

- 76.99 Penalty

OFF-ROAD VEHICLES

§ 76.01 ADMINISTRATION AND ENFORCEMENT OF REGULATIONS.

The Police Department shall be responsible for the administration of this chapter, as amended from time to time. (Ord. 637, passed 2-7-94; Am. Ord. 638, passed 2-7-94)

§ 76.02 ADOPTION.

(A) This subchapter adopts and implements the provisions of IC 14-16-1-1 et seq. as amended from time to time, as specifically permitted by the provisions of IC 14-16-1-22 as amended from time to time.

(B) It is the general intent and purpose of the Town Council, in enacting this subchapter, to promote safety for persons and property, responsible enjoyment in and connected with the use and operation of off-road vehicles, and understanding consisting with the rights of all the residents of the town. (Ord. 637, passed 2-7-94)

§ 76.03 DEFINITIONS.

As used in this chapter, as amended from time to time, the following terms shall mean as follows, unless the context clearly indicates otherwise:

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"OPERATOR." Any person who operates or is in actual physical control of an off-road vehicle or snowmobile.

"OWNER." Any person, other than a lien-holder, having the property in or title to an off-road vehicle or snowmobile, and entitled to the use or possession thereof.

"OPERATE." To ride in or on and to be in actual physical control of the operation of an off-road vehicle or snowmobile.

"PERSON." An individual, partnership, corporation, the state and any of its agencies or subdivisions, and any body of persons, whether incorporated or not.

"SNOWMOBILE." Any motor driven vehicle designed for travel primarily on snow or ice of a type which utilizes sled type runners or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated.

"OFF-ROAD VEHICLE." A motor driven vehicle capable of cross country travel, without benefit of a road or trail, on or immediately over land, water, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-wheel drive or low pressure tire vehicle, amphibious machine, ground effect air cushion vehicle or other means of transportation driving motive power from a source other than muscle or wind. It does not include a farm vehicle being used for farming, a vehicle used for military or law enforcement purposes, a construction, mining, or other industrial related vehicle used in performance of its common function, a snowmobile, or a registered aircraft, and does not include for registration any other vehicle properly registered by the State Bureau of Motor Vehicles, and any water craft which is registered pursuant to applicable state statutes.

"VEHICLE." An off-road vehicle or snowmobile.

"DEALER." Any person engaged in the commercial sale of off-road vehicles or snowmobiles.

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

"DEPARTMENT." The Department of Natural Resources (DNR).

"DIRECTOR." The Director of the State Department of Natural Resources (DNR).

"PUBLIC PROPERTY." Land and waters which are owned or leased and subject to the control of the state, the town or any political subdivisions, or entities thereof.
(Ord. 637, passed 2-7-94; Am. Ord. 638, passed 2-7-94)

§ 76.04 REGISTRATION REQUIRED.

(A) Except as otherwise provided herein, as amended from time to time, no off-road vehicle shall be operated on public property unless registered in accordance with the provisions of this subchapter, as amended from time to time, or IC 14-16-1-1 et seq., as amended from time to time.

(B) Registration is not required for vehicles which are exclusively operated in a special event of limited duration which is conducted according to a prearranged schedule under a permit from the town or governmental unit having jurisdiction.

(C) The required certificate of registration issued by the Department shall accompany the off-road vehicle at all times and shall be available for inspection upon demand by any Enforcement Officer of the town or Police Department, or any other authorized law enforcement officer.

(D) Any owner of an off-road vehicle who has been issued a certificate of registration shall paint on or attach in a permanent manner to each side of the forward half of the vehicle the identification number in block characters of good proportion, not less than three inches in height, reading from left to right, in conformance with the rules and regulations of the Department, applicable state law, and this subchapter, each as amended from time to time.

(E) A person shall not possess or operate a vehicle with an altered, defaced or obliterated vehicle number.
(Ord. 637, passed 2-7-94) Penalty, see § 76.99

§ 76.05 OPERATION ON PUBLIC HIGHWAYS AND RIGHTS-OF-WAY; CONDITIONS.

(A) A person shall not operate a vehicle required to be registered under this subchapter, as amended from time to time, upon a public highway or street or right-of-way thereof, or on a public or private parking lot not specifically designated for the use of off-road vehicles, except under the following conditions and circumstances:

(1) A vehicle may be operated on the public right-of-way adjacent to the traveled portion of the public highway, except a limited access highway, if there is sufficient width to operate at a reasonable distance off and away from the traveled portion, and in a manner so as not to endanger life or property.

(2) The operator of a vehicle may cross a public highway, other than a limited access highway, at right angles for the purpose of getting from one area to another when the operation can be done in

safety. The operator shall bring his vehicle to a complete stop before proceeding across any public highway and shall yield the right-of-way to all traffic.

(3) Notwithstanding the provisions of this section, vehicles may be operated on a highway in a county road system, outside the

corporate limits of the town, which is designated for such purpose by the Lake County Highway Department.

(4) A duly constituted law enforcement officer of the town or the state may authorize use of a vehicle on the public highways, streets and rights-of-way within his jurisdiction during emergencies when conventional motor vehicles cannot be used for transportation due to snow or other extreme highway conditions.

(5) A vehicle may be operated on a street or highway for a special event of limited duration conducted according to prearranged schedule only under permit from the town. The event may be conducted on the frozen surface of public waters only under permit from the Department of Natural Resources (DNR).

(B) A person under the age of 14 shall not operate a vehicle without immediate supervision of a person 18 years of age or older except on land owned or under the control of such person, or his parent or legal guardian.

(C) No person shall operate a vehicle, as defined in this subchapter, as amended from time to time, on a public highway without a valid motor vehicle driver's license.

(D) A vehicle shall not be used to hunt, pursue, worry or kill a wild bird or any domestic or wild animal.
(Ord. 637, passed 2-7-94) Penalty, see § 76.99

§ 76.06 LIGHTING AND BRAKES.

A vehicle shall not be operated unless it has at least one headlight, one taillight and adequate brakes capable of producing deceleration at 14 feet a second on level ground at a speed of 20 miles an hour.

(Ord. 637, passed 2-7-94) Penalty, see § 76.99

§ 76.07 RESTRICTIONS ON OPERATION.

A person shall not operate a vehicle:

(A) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing.

(B) While under the influence of intoxicating liquor or unlawfully under the influence of narcotic or other habit forming or dangerous depressant or stimulant drug.

(C) During the hours from one-half hour after sunset to one-half hour before sunrise without displaying a lighted headlight and a lighted taillight.

(D) In any forest nursery, planting area, or public lands posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.

(E) On the frozen surface of public waters within 100 feet of a person not in or upon a vehicle or within 100 feet of a fishing shanty or shelter except at a speed of five miles per hour or less.

(F) Unless it is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(G) Within 100 feet of a dwelling between 12 midnight and 6 a.m., except on his own property or property under his control or as an invited guest.

(H) On any property without the consent of the landowner or tenant thereof.

(I) While transporting thereon a bow unless unstrung or a firearm unless unloaded and securely encased or equipped with and made inoperative by a manufactured keylocked trigger housing mechanism.

(J) On or across a cemetery or burial ground.

(K) Within 100 feet of a slide, ski or skating area, except for the purpose of servicing the area.

(L) On a railroad track or railroad right-of-way, except railroad personnel in performance of their duties.

(M) In or upon any flowing river, stream or creek, except for the purpose of crossing by the shortest possible route, unless of sufficient water depth to permit movement by floatation of this vehicle at all times.

(Ord. 637, passed 2-7-94) Penalty, see § 76.99

§ 76.08 ACCIDENT REPORTS.

The operator of a vehicle involved in an accident within the town resulting in injuries to or death of any person, or property damage in an estimated amount of \$100 or more, shall immediately, by the quickest means of communication, notify a State Police Officer, Conservation Officer, the Lake County Sheriff's Office, or the Cedar Lake Police Department. The police agency receiving the notice shall complete a report of the accident on forms prescribed by the Director of the Department of Natural Resources and forward the report to him. (Ord. 637, passed 2-7-94) Penalty, see § 76.99

§ 76.09 ENFORCEMENT.

All Police and Peace Officers, including Officers of the Cedar Lake Police Department, shall have the power and authority to enforce

the provisions of this subchapter and corresponding state law, each as amended from time to time.
(Ord. 637, passed 2-7-94)

SNOWMOBILES

§ 76.20 ADOPTION.

(A) This subchapter adopts and implements the provisions of IC 14-16-2-1 et seq., as amended from time to time, as specifically permitted by the provisions of IC 14-16-2-23, as amended from time to time.

(B) It is the general intent and purpose of the Town Council, in enacting this subchapter, to promote safety for persons and property, responsible enjoyment in and connected with the use and operation of snowmobiles, and understanding consisting with the rights of all the residents of the town.
(Ord. 644, passed - -94)

§ 76.21 REGISTRATION REQUIRED.

(A) Except as otherwise provided herein, as amended from time to time, no snowmobile shall be operated on public property unless registered in accordance with the provisions of this subchapter, as amended from time to time, or IC 14-16-1-1 et seq., as amended from time to time.

(B) Registration is not required for snowmobiles which are exclusively operated in a special event of limited duration which is conducted according to a prearranged schedule under a permit from the town, or governmental unit having jurisdiction.

(C) The required certificate of registration issued by the Department shall accompany the snowmobile at all times and shall be available for inspection upon demand by any Enforcement Officer of the town or Police Department, or any other authorized law enforcement Officer.

(D) Any owner of a snowmobile who has been issued a certificate of registration shall paint on or attach in a permanent manner to each side of the forward half of the vehicle the identification number in block characters of good proportion, not less than three inches in height, reading from left to right, in conformance with the rules and regulations of the Department, applicable state law, and this subchapter, each as amended from time to time.

(E) A person shall not possess or operate a snowmobile with an altered, defaced or obliterated registration number.
(Ord. 638, passed 2-7-94) Penalty, see § 76.99

§ 76.22 NONRESIDENTS; REGISTRATION IN ANOTHER STATE OR COUNTRY.

A snowmobile registered in another state or country to a

nonresident of this state may be operated within this state under authority of such registration for not more than 20 days in any one calendar year.

(Ord. 638, passed 2-7-94) Penalty, see § 76.99

§ 76.23 OPERATION ON PUBLIC HIGHWAYS AND RIGHTS-OF-WAY; CONDITIONS.

(A) A person shall not operate a snowmobile required to be registered under this subchapter, as amended from time to time, upon a public highway or street or right-of-way thereof or on a public or private parking lot not specifically designated for the use of snowmobiles, except under the following conditions and circumstances:

(1) A snowmobile may be operated on the public right-of-way adjacent to the traveled portion of the public highway, except a limited access highway, if there is sufficient width to operate at a reasonable distance off and away from the traveled portion, and in a manner so as not to endanger life or property.

(2) The operator of a snowmobile may cross a public highway, other than a limited access highway, at right angles for the purpose of getting from one area to another when the operation can be done in safety. The operator shall bring his snowmobile to a complete stop before proceeding across any public highway and shall yield the right-of-way to all traffic.

(3) Notwithstanding the provisions of this section, snowmobiles may be operated on a highway in a county road system, outside the corporate limits of the town which is designated for such purpose by the Lake County Highway Department.

(4) A duly constituted law enforcement officer of the town, Lake County or the state, may authorize use of a snowmobile on the public highways, streets and right-of-way within his jurisdiction during emergencies when conventional motor vehicles cannot be used for transportation due to snow or other extreme highway conditions.

(5) A snowmobile may be operated on a street or highway for a special event of limited duration conducted according to prearranged schedule only under permit from the town. The event may be conducted on the frozen surface of public waters only under permit from the Department of Natural Resources (DNR).

(B) A person under the age of 14 shall not operate a snowmobile without immediate supervision of a person 18 years of age or older except on land owned or under the control of such person, or his parent or legal guardian.

(C) No person shall operate a snowmobile, as defined in this chapter, as amended from time to time, on a public highway without a valid motor vehicle driver's license.

(D) A snowmobile shall not be used to hunt, pursue, worry or kill a wild bird or any domestic or wild animal.
(Ord. 638, passed 2-7-94) Penalty, see § 76.99

§ 76.24 LIGHTING AND BRAKES.

A snowmobile shall not be operated unless it has at least one headlight, one taillight and adequate brakes capable of producing

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deceleration at 14 feet a second on level ground at a speed of 20 miles an hour.

(Ord. 638, passed 2-7-94) Penalty, see § 76.99

§ 76.25 RESTRICTIONS ON OPERATION.

A person shall not operate a snowmobile:

(A) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing.

(B) While under the influence of intoxicating liquor or unlawfully under the influence of narcotic or other habit forming or dangerous depressant or stimulant drug.

(C) During the hours from one-half hour after sunset to one-half hour before sunrise without displaying a lighted headlight and a lighted taillight.

(D) In any forest nursery, planting area, or public lands posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.

(E) On the frozen surface of public waters within 100 feet of a person not in or upon a snowmobile or within 100 feet of a fishing shanty or shelter except at a speed of five miles per hour or less.

(F) Unless it is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(G) Within 100 feet of a dwelling between 12 midnight and 6 a.m., except on his own property or property under his control or as an invited guest.

(H) On any property without the consent of the landowner or tenant thereof.

(I) While transporting thereon a bow unless unstrung or a firearm unless unloaded and securely encased or equipped with and made inoperative by a manufactured keylocked trigger housing mechanism.

(J) On or across a cemetery or burial ground.

(K) Within 100 feet of a slide, ski or skating area, except for the purpose of servicing the area.

(L) On a railroad track or railroad right-of-way, except railroad personnel in performance of their duties.

(M) On public property unless authorized to do so.
(Ord. 638, passed 2-7-94) Penalty, see § 76.99

§ 76.26 ACCIDENT REPORTS.

The operator of a snowmobile involved in an accident within the town resulting in injuries to or death of any person, or property damage in an estimated amount of \$100 or more, shall immediately, by the quickest means of communication, notify a State Police Officer, Conservation Officer, the Lake County Sheriff's Office, or the Cedar Lake Police Department. The police agency receiving the notice shall complete a report of the accident on forms prescribed by the Director of the Department of Natural Resources and forward flee report to him.

(Ord. 638, passed 2-7-94) Penalty, see § 76.99

§ 76.27 ENFORCEMENT.

All Police and Peace Officers, including Officers of the Cedar Lake Police Department, shall have the power and authority to enforce the provisions of this subchapter and corresponding state law, each as amended from time to time.

(Ord. 638, passed 2-7-94)

§ 76.99 PENALTY.

The violation of any provision of this chapter, as amended from time to time, in addition to any penalties prescribed under the applicable state law, shall be punished by a fine as set forth below. Every day any violation of this chapter, as amended from time to time, shall continue shall constitute a separate offense.

(A) First violation shall be a minimum fine not less than \$25.

(B) Second violation shall be a minimum fine not less than \$75.

(C) Third and subsequent violation shall be a minimum fine not less than \$150.

(Ord. 637, passed 2-7-94; Am. Ord. 638, passed 2-7-94; Am. Ord. 986, passed 3-6-07)

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