

TITLE VII: TRAFFIC CODE

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GENERAL PROVISIONS

§ 70.01 SHORT TITLE.

This Title VII may be known and cited as the Traffic Code of the town.

§ 70.02 APPLICATION OF REGULATIONS.

The provisions of this Title VII, relating to the operation of vehicles, refer exclusively to the operation of vehicles upon streets and highways except where a different place is specifically referred to in a given section.

§ 70.03 DEFINITIONS.

(A) The following words and phrases, when used in this Title VII, shall for the purpose of this Title VII have the meanings respectively ascribed to them in this section, except when the context otherwise requires.

(B) Whenever any words and phrases used herein are not defined herein but are defined in the state laws regulating the operation of vehicles, then such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

COUNCIL. The Town Council of Middletown, Indiana.

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

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

§ 70.04 OBEDIENCE TO TRAFFIC CODE REQUIRED.

It is unlawful and an infraction for any person to do any act forbidden or fail to perform any act required in this Title VII.

(Ord. 3-54, passed - -) Penalty, see § 70.99

§ 70.05 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS.

The provisions of this Title VII shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, town, district, or any other political subdivision of the state, subject to such specific exceptions as are set forth in this chapter or in the state vehicle code.

§ 70.06 AUTHORIZED EMERGENCY VEHICLES.

Editor's Note: See the appropriate Indiana State Code Sections for regulations pertaining to authorized emergency vehicles.

TRAFFIC-CONTROL DEVICES**§ 70.15 AUTHORITY TO INSTALL.**

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

(Ord. 3-54, passed - -)

§ 70.16 MANUAL AND SPECIFICATIONS FOR TRAFFIC-CONTROL DEVICES.

All traffic-control signs, signals, and devices shall conform to the "Indiana Manual on Uniform Traffic Control Devices for Streets and Highways" prepared by the Indiana State Highway Commission. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform to type and location throughout the town. All traffic-control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic-control devices.

(Ord. 3-54, passed - -)

§ 70.17 WHEN REQUIRED FOR ENFORCEMENT PURPOSES.

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

(Ord. 3-54, passed - -)

§ 70.18 PRESUMPTION OF LEGALITY.

(A) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this Traffic Code, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(B) Any official traffic-control devices placed pursuant to the provisions of this Traffic Code and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Traffic Code, unless the contrary shall be established by competent evidence.

§ 70.19 TEMPORARY PLACEMENT OF TRAFFIC-CONTROL DEVICES.

The Town Marshal may authorize the temporary placing of official traffic-control devices when required by an emergency. The Town Marshal shall notify the Town Council of his action as soon thereafter as is practicable.

§ 70.20 DESIGNATING CROSSWALKS; ESTABLISHING SAFETY ZONES.

The Town Council is hereby authorized by duly adopted resolution to designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in the opinion of the Town Council there is particular danger to pedestrians crossing the roadway, and establish safety zones of such kind and character at such other places as the Town Council may deem necessary for the protection of pedestrians.

§ 70.21 INDICATING TRAFFIC LANES.

The Town Council is hereby authorized by duly adopted resolution to have agents mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

VEHICLE INSPECTIONS**§ 70.30 FEE FOR INSPECTION.**

(A) *Policy.* A fee shall be charged by the Police Department for the inspection of used motor vehicles, said inspection being a prerequisite for the issuance of a Certificate of Title by the Indiana Bureau of Motor Vehicles as provided in IC 9-17-2-12. ('66 Code, § 3.16.010)

(B) *Fee.* The fee shall be \$4. ('66 Code, § 3.16.020)

(C) *Fund.* The Clerk-Treasurer is hereby directed to establish a cumulative account bearing the title of "Special Vehicle Inspection Fund" and all fees collected pursuant to this section shall be deposited therein. ('66 Code, § 3.16.030)

(D) *Purpose of Fund.* Monies so deposited shall only be appropriated by this fiscal body for "law enforcement purposes." ('66 Code, § 3.16.040)
(Ord. 6-88, passed 10-4-88)

ENFORCEMENT AND ADMINISTRATION**§ 70.40 DUTIES OF TOWN MARSHAL AND DEPUTY MARSHALS.**

In addition to his other activities, it shall be the duty of the Town Marshal to enforce the street traffic regulations of this town and all state vehicle laws applicable to street traffic in this town; to make arrests for traffic violations; to investigate all traffic accidents and make reports on a standard accident report form; to maintain a standard system of filing accident records and records of all arrests and warnings; to cooperate with other officers of the town in the administration of the traffic laws and in developing ways to improve traffic conditions; to file an annual report with the Town Council concerning the number of traffic accidents, the number of moving violations and parking violation arrests, and other data on the

traffic activities of his office and to carry out those duties specially imposed upon said office by this Traffic Code.

(Ord. 3-54, passed - -)

§ 70.41 AUTHORITY OF ENFORCEMENT OFFICIALS.

(A) The Town Marshal, or Deputy Marshals as are assigned by the Town Marshal, are hereby 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 to safeguard pedestrians, the Town Marshal or Deputy Marshals may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(B) Officers of the Fire Department, when at the scene of a fire, may direct or assist police officials in directing traffic thereat or in the immediate vicinity. This section shall also apply to officers or members of the Fire Department who are at the scene of a traffic accident, and not otherwise involved in said accident, and at the request and direction of the Town Marshal or Deputy Marshals.

§ 70.42 NOTICE OF VIOLATION.

(A) Whenever a person is charged with a violation of this Traffic Code, he shall be given notice of such charge by an appropriate notice served personally or placed in or upon a vehicle stopped or parked in violation of any provision hereof.

(B) If, in the opinion of the Town Marshal or his deputies or other duly constituted officer, any person charged with violating this chapter is about to leave the jurisdiction, such officer may institute action forthwith before a court of law, magistrate or judge for the collection of such fine and penalty.

§ 70.43 DISPOSITION OF TRAFFIC FINE AND FORFEITURE.

All traffic fines and forfeitures collected by the Clerk-Treasurer shall be deposited in the general fund.

§ 70.99 PENALTY.

Whoever violates any provision of this Title VII for which no penalty is otherwise provided shall be fined not more than \$10. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(Ord. 3-54, passed - -)

CHAPTER 71: TRAFFIC REGULATIONS

Section

Rules of Operation

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- 71.04 Limitation on backing
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- 71.40 Motorized vehicle regulations

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- 71.50 Regulation of golf carts

Cross-reference:

Streets and sidewalks, see Ch. 92

RULES OF OPERATION**§ 71.01 STOP AND YIELD INTERSECTIONS.**

Those streets, parts of streets, stop intersections, and yield intersections described in Chapter 74 Schedule I, as from time to time amended by duly adopted resolution, are hereby declared to be through streets, stop intersections, or yield intersections for the purpose of this section.
Penalty, see § 71.99

§ 71.02 ONE-WAY STREETS AND ALLEYS.

Upon those streets and parts of streets and in those alleys designated by the town from time to time by duly adopted resolution, vehicular traffic shall move only in the indicated direction when proper signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.
Penalty, see § 71.99

§ 71.03 TURNING MOVEMENTS.

(A) The Town Council is hereby authorized by duly adopted resolution to determine those intersections at which drivers of vehicles shall not make a right, left 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) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a zoned business district.
Penalty, see § 71.99

§ 71.04 LIMITATION ON BACKING.

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. In no instance shall the driver of a vehicle back his vehicle across a lane of "on coming traffic" in order to proceed in the opposite direction.
Penalty, see § 71.99

§ 71.05 PARADES AND PROCESSIONS.

No procession or parade containing 200 or more persons or 25 or more vehicles except the Armed Forces of the United States, the military forces of this state and the forces of the Police and Fire Departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the competent authority and such other regulations as are set forth herein which may apply.
Penalty, see § 71.99

§ 71.06 DRIVING THROUGH PARADE OR OTHER PROCESSION.

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

Penalty, see § 71.99

§ 71.07 EMERGENCY VEHICLE ROUTE.

All of 8th Street from south corporation line to State Road 236 is hereby declared an emergency vehicle route and signs shall be posted to this effect.
(‘66 Code, § 5.04.010) (Res. passed 7-16-74)

SPEED REGULATIONS

§ 71.15 STATE LAW APPLICABLE.

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this town, except as this town, as authorized by state law, hereby declares and determines upon the basis of engineering and traffic investigations that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared by this town when proper signs are in place.

§ 71.16 ESTABLISHMENT OF SPEED LIMITS ON CERTAIN STREETS.

On the basis of an engineering and traffic investigation, maximum speed limits are hereby determined and declared reasonable and safe on the streets, or parts of streets, described in Chapter 74, Schedule II, as from time to time amended by duly adopted resolution of the Town Council, when signs are erected giving notice thereof.

PROHIBITIONS

§ 71.20 USE OF 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 and when so crossing such person shall be granted all of the rights and shall be subject to all of the penalties and duties applicable to pedestrians.

§ 71.21 SKATEBOARDS AND SKATES.

(A) No person shall ride, use or operate a skateboard or skates in the downtown business area of the town.

(B) The downtown "business area" for the purpose of this section, is defined herein as that area of the town bordered by 8th Street on the west, 2nd Street as extended to Fall Creek on the east, a line 500 feet north of and parallel to Locust Street on the north and a line 500 feet south and parallel to Locust Street on the south except all privately owned property and land under the jurisdiction of the Middletown Park Board and commonly known as "Detrich Park". The streets in their entirety, sidewalks, parking lots and alleys, which are public property, within said "business area" are included in the definition of the "business area" of this section.

(Ord. 8-17-99-2, passed 10-5-99) Penalty, see § 70.99

PEDESTRIANS**§ 71.30 RUNNING, JOGGING OR WALKING ON ROADWAY.**

Running, jogging, or walking in a roadway where a sidewalk has been provided is prohibited. Running, jogging or walking in a roadway without a sidewalk is permitted provided that the following requirements are met:

(A) Pedestrian must stay within two feet of pavement edge;

(B) Pedestrian's direction of travel must oppose that of the vehicular traffic in that lane.

Penalty, see § 70.99

Cross-reference:

Streets and sidewalks, see Chapter 92

MOTORIZED VEHICLES**§ 71.40 MOTORIZED VEHICLE REGULATIONS.**

(A) *Definition.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOTORIZED VEHICLE. Any wheeled device ridden by a person or used as transportation, powered or assisted by any on-board power source other than the rider's own physical efforts. This definition shall not include a device designed solely for use as transportation by a person with physical disabilities, and actually used for that purpose.

(B) The use of motor vehicles as defined above is permitted on all streets within the town only under the following conditions:

(1) For motor vehicles required to be registered and plated by Indiana law, the operator of said motor vehicle must be properly licensed and insured and the vehicle must be properly equipped and registered, pursuant to applicable state laws.

(2) For motor vehicles not required to be registered or plated by Indiana law:

(a) The operator must be age 15 or over;

(b) The operator must carry a state-issued identification card that shows the operator's age or a valid operator's license;

(c) An operator from 15 to 18 years of age must wear a helmet and goggles or a face shield; and

(d) The vehicle must have headlights, taillights, brake lights, and turn signals that are clearly visible to other traffic and functioning properly.

(C) A police officer having probable cause to believe a person has violated division (B)(2) above may immediately confiscate the motor vehicle as evidence, and hold it until a judge resolves any enforcement action filed. If no action has been filed in court to enforce the violation of division (B)(2) above, the police department shall allow the owner to retrieve the vehicle within 30 days of its seizure. In addition to any fine imposed, the court may order a confiscated vehicle to be destroyed or otherwise disposed of.

(D) *Penalty.*

(1) Any person who shall violate any of the provisions of this subchapter or any person who aids, abets, or assists herein shall, after having been found to have violated any of the provisions contained therein, pay a fine in accordance with the following schedule:

(a) First violation, or only violation occurring during any 12-month period: \$20.

(b) Second violation, a violation occurring within 12 months of a first violation: \$40.

(c) Third violation, a violation occurring within 12 months of a second violation: \$100.

(d) Continued violation, any violation occurring within 12 months of a prior violation after incurring a third violation as defined above: \$200.

(2) In addition to the fine or penalty, the violator shall pay the fees assessed by the Court. (Ord. 10-5-04, passed 11-2-04)

GOLF CARTS**§ 71.50 REGULATION OF GOLF CARTS.**

The town hereby adopts all definitions and provisions of IC 9-13-2-69.7 referencing the definition of a golf cart and IC 9-21-1-3.3 allowing the town to adopt traffic regulations concerning golf carts. The Town Council adopts the following regulations concerning the use of golf carts.

(A) Any operator of golf carts must have a valid driver's license and comply with all applicable local and state regulations and laws.

(B) A golf cart shall be inspected on an annual basis. The fee for the inspection shall be \$40 per vehicle. The inspection shall be conducted by the Police Department at the Police Station located at 653 Locust Street, Middletown, Indiana. The purpose of the inspection will be to determine whether the golf cart is in compliance with all applicable regulations.

(C) The owner of any golf cart shall renew the inspection every 12 months. The Police Department shall maintain records of inspection. The Police Department may impound (or prohibit from operating) any golf cart operated within the town on public right-of-way that does not have a current inspection record.

(D) Any person who violates the provisions of this section shall be subject to a fine of up to \$500 per violation.

(E) All golf carts shall be insured for damage to property or personal injury (liability insurance) in an amount no less than that prescribed by Indiana law for the operation of motor vehicles. Proof of insurance shall be presented at the time of inspection.

(F) Golf carts shall be parked parallel to, and on the right side of the street in the same direction as traffic is designed to flow.

(G) Golf carts may only be operated between the hours of 6:00 a.m. and 10:00 p.m.

(H) Any golf cart operated in the town shall have the following equipment:

- (1) Headlamps;
- (2) Front and rear turn signal lamps, tail lamps, and stop lamps;
- (3) Reflex reflectors;
- (4) Exterior or interior mirrors;
- (5) Brakes;
- (6) Windshield;
- (7) Vehicle Identification Number (VIN);

- (8) A safety belt installed at each designated seating position;
- (9) A maximum design speed of not more than 35 miles per hour.

(I) This section shall not be interpreted to conflict with, or supersede, any provision of the Indiana Code or Indiana Administrative Code now in effect or which may later become effective; including, but not limited to, laws and regulations that prohibit golf carts from operating on a dedicated state highway.

(J) This section incorporates by reference all relevant provisions of IC Title 9 which regulates motor vehicles used in the State of Indiana.
(Ord. 4-2012, passed 4-17-12)

§ 71.99 PENALTY.

Whoever violates any provision of §§ 71.01 through 71.06 shall be fined as noted in § 36.04, Civil Penalty Schedule. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

CHAPTER 72: STOPPING, STANDING AND PARKING

Section

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- 72.20 Application of regulations
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- 72.30 Designation of loading zones
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- 72.40 Violation of stopping, standing and/or parking restrictions; applicable penalties
- 72.41 Authority to remove

72.99 Penalty

Cross-reference:

Civil penalty schedule, see § 36.04
For additional park regulations, see Ch. 93

METHOD OF PARKING**§ 72.01 ANGLE PARKING.**

(A) The Town Council 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 state highway within this town.

(B) On those streets which have been signed or marked by the Town Council for angle parking, 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.

Penalty, see § 72.99

STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES**§ 72.10 PARKING NOT TO OBSTRUCT TRAFFIC.**

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 18 feet of the width of the roadway for free movement of vehicular traffic.

Penalty, see § 72.99

§ 72.11 PARKING IN ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 18 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Penalty, see § 72.99

§ 72.12 NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES.

(A) The Town Council is hereby authorized by duly adopted resolution to determine and designate, by proper signs, places not exceeding 100 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 places.

Penalty, see § 72.99

§ 72.13 TEMPORARY PARKING.

Parking may be temporarily limited or prohibited from time to time for special occasions and to meet

emergencies upon authority of the Town Marshal, who is hereby given authority for such limitation and prohibition of parking and all vehicles shall observe such prohibition and limitations when proper signs have been erected or placed indicating such prohibition, and the violation thereof shall be subject to the penalties heretofore or hereafter provided.

Penalty, see § 72.99

§ 72.14 PARKING IN FIRE LANES.

(A) It shall be unlawful for the owner, driver or operator of any vehicle to park or stop such vehicle or to permit such vehicle to be parked or to stand at any time, or to place any other personal property found to be obstructing a fire lane and he shall be cited by any law enforcement officer with jurisdiction or Fire Prevention Bureau personnel.

(B) In addition, any vehicle or other personal property may be towed away upon the request of any law enforcement officer or Fire Department personnel having jurisdiction. The owner of the vehicle or personal property shall be liable for all tow-in and resulting storage charges.

(C) The Fire Prevention Bureau, or the Fire Department, shall, to the greatest extent feasible, inspect the area surrounding all buildings in which the public would have access, and the Director of Fire Prevention Services shall determine and establish the emergency vehicle lanes and notify the property owners affected therein in writing.

(D) Fire lanes shall be established and marked as follows:

(1) Fire lanes shall be 12 feet from the sidewalk, driveway, service area or areas immediately adjacent to any building or structure deemed necessary by the Chief of the Fire Department and/or Police Department.

(2) Where acceptable, the pavement of the fire (emergency) lane shall be marked with the words "No Parking Fire Lane" in large visible letters and a stripe of no less than four inches in width installed 12 feet from the sidewalk, curb or other items adjacent to the building in question. The words "No Parking Fire Lane" shall be between the stripe and the sidewalk, curb or other item adjacent to the building in question.

(3) All curb striping and language required on pavement shall be marked in yellow with paint or other types of substances that may be approved by the Chief of Fire Department.

(4) Signs stating "No Parking Fire Lane" meeting the Indiana Manual of Uniform Traffic Control Devices shall be installed no less than every 30 feet apart.

(E) The Chief of the Fire Department may, in designating fire lanes, determine that portions of those lanes, because of the location of hydrants, standpipes or other fire prevention devices or because of the necessities for ingress and egress, that any blockage constitutes a fire hazard.

(F) Areas so determined shall be designated "tow-away zones" and shall be so marked and posted. Any vehicle parked in such zones shall be removed at the direction of any police officer.

(G) Any person or persons who violate the terms of this section shall be, upon conviction therefor, guilty of a Class A Infraction and fined in accordance with the regular schedule of fines and penalties set out in § 36.04.

RESTRICTION ON STOPPING, STANDING AND PARKING

§ 72.20 APPLICATION OF REGULATIONS.

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 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.

§ 72.21 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Chapter 75 Schedule I.
Penalty, see § 72.99

§ 72.22 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

When signs are erected giving notice thereof, no person shall park a vehicle between the hours specified in Chapter 75 Schedule I as from time to time amended by duly adopted resolution on any day except Sundays and public holidays within the district or upon any street described in said Chapter 75 Schedule I.
Penalty, see § 72.99

§ 72.23 PARKING TIME LIMITED ON CERTAIN STREETS.

When signs are erected giving notice thereof, no person shall park a vehicle for longer than the time specified.
Penalty, see § 72.99

§ 72.24 PARKING SIGNS REQUIRED.

No prohibition, regulation or limitation relating to stopping, standing or parking imposed under this or any other ordinance of this town shall be effective unless official traffic-control devices are erected and in place at the time of any alleged offense and it shall be the duty of the Town Council to see that such devices are erected and maintained.

§ 72.25 PARKING RESTRICTIONS IN PARK.

(A) No person shall operate a motor vehicle of any kind into a parked position at the public parking and access and egress area adjacent to the Community Building at the Dietrich Memorial Park except in the manner as designated by the properly marked parking spaces.

(B) No person shall park or operate any motor vehicle in such a manner as to block the access or egress to the park, Community Building or basketball courts of another person or motor vehicle. (Ord. 4-76, passed 8-3-76) Penalty, see § 72.99

Editor's note: This section codifies the ordinance based on Park Board Regulation 1-1976, passed April 21, 1976.

Cross-reference:

Civil penalty schedule, see § 36.04

§ 72.26 WEIGHT LIMIT ON SEMI-TRUCKS AND SEMI-TRAILERS.

(A) No person, firm, corporation, agent or employee shall park what is commonly called semi-trucks or semi-trailers, with or without the tractors attached thereto in excess of one ton or more on the public streets or alleys of the town.

(B) Such parking limitation shall not apply to such vehicles while in the actual process of loading or unloading and shall not apply to such vehicles when the same are parked on the streets and alleys of the town for a time limit less than one hour.

(Ord. 7-75, passed 11-18-75) Penalty, see § 72.99

§ 72.27 PARKING IN CERTAIN AREAS DURING SEVERE WINTER STORM EVENTS.

(A) The Chief of Police or his designee may temporarily prohibit parking on any street or other right-of-way if it is determined by the Chief (or his designee) that parking on a particular street or right-of-way will or may impede the removal of snow, ice or other debris.

(B) The town shall post one or more notices or signs abutting or near any area designated as an area where parking is prohibited. The notice or sign shall clearly indicate that parking is prohibited in the area next to or near the notice or sign or abutting the notice or sign and may indicate the duration of the parking restriction, a description of the area where parking is prohibited, the reason for the parking restriction, that the owner of any vehicle violating, this section is subject to fine and that any vehicle parked in violation of this section is subject to towing and removal.

(C) No vehicle shall be parked on any street or right of way designated as an area where parking is prohibited pursuant to this section. Any vehicle that is lawfully parked in an area where parking is prohibited under this section prior to the placement of the sign or notice required by division (B) shall be relocated to an area where parking is permissible no more than 24 hours after the posting of the sign or notice.

(D) The registered owner of any vehicle parked in violation of this section shall be fined in the amount of \$10.

(E) Vehicles parked in violation of this section are also subject to towing and removal in accordance with the provisions of § 72.41. (Ord. 2016-3, passed 11-1-16)

§ 72.28 PARKING PROHIBITED ON SIDEWALK OR CURB.

(A) No vehicle shall be parked on a sidewalk, upon any curb between the traveled portion of the street and the sidewalk, upon any right of way outside of the traveled portion of a street, or upon any right-of-way between a curb and sidewalk.

(B) The registered owner of any vehicle parked in violation of this section shall be fined in the amount of \$25.

(C) Vehicles parked in violation of this section are also subject to towing and removal in accordance with the provisions of Town Code § 72.41.
(Ord. 2018-01, passed 3-20-18)

LOADING AND UNLOADING ZONES**§ 72.30 DESIGNATION OF LOADING ZONES.**

The Town Council is hereby authorized by duly adopted resolution to determine the location of loading zones and shall have placed and maintained appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

§ 72.31 STANDING IN LOADING ZONE.

(A) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of property in any place designated as a loading zone, as duly adopted by ordinance of the Town Council, during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

(B) The driver of a vehicle may stop temporarily at a loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter such zone to load or unload property.
Penalty, see § 72.99

§ 72.32 PUBLIC CARRIER STOPS AND STANDS.

The Town Council is hereby authorized by duly adopted resolution 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 it 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.

§ 72.33 RESTRICTED USE OF BUS AND TAXICAB STANDS.

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.

Penalty, see § 72.99

ENFORCEMENT

§ 72.40 VIOLATION OF STOPPING, STANDING AND/OR PARKING RESTRICTIONS; APPLICABLE PENALTIES.

The penalties applicable to this chapter are set forth in § 36.04, civil penalty schedule.

§ 72.41 AUTHORITY TO REMOVE.

The Town Marshal and his deputies are hereby authorized to move or cause to be moved and properly stored, at the owner's expense, any vehicle improperly parked, parked overtime, or abandoned, if, after reasonable effort, the owner or operator of such vehicle cannot be found or refuses or fails, upon proper notification, to move such vehicle.

Statutory reference:

Abandoned motor vehicles, see IC 9-22-1-1 et seq.

§ 72.99 PENALTY.

(A) Any person violating any of the provisions of this chapter or Chapter 75, for which no penalty is otherwise provided, shall be fined in accordance with the civil penalty schedule provided in § 36.04.

(Am. Ord. 2015-3, passed 6-9-15)

(B) Any person violating any of the provisions of § 72.25 shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$25 for each separate offense. Any person violating § 72.25 shall in addition to the penalty described in this section have any motor vehicle operated in defiance of the regulations set forth in § 72.25 removed from the premises at the owner's expense.

(Ord. 4-76, passed 8-3-76)

(C) Any person, firm or corporation, his agent or employee who shall violate the provisions of § 72.26 shall be subject to a fine of \$25 for each violation. (Ord. 7-75, passed 11-18-75)

CHAPTER 73: BICYCLES

Section

73.01	Effect of regulations
73.02	Application to traffic rules
73.03	Riding on bicycles
73.04	Riding on sidewalk
73.05	Attaching bicycles to poles
73.06	Responsibility of parent or guardian

§ 73.01 EFFECT OF REGULATIONS.

(A) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this section.

(B) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

§ 73.02 APPLICATION TO TRAFFIC RULES.

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

§ 73.03 RIDING ON BICYCLES.

No bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped, except that an adult rider may carry a child securely attached to his person in a backpack or sling, or approved child seat.

§ 73.04 RIDING ON SIDEWALK.

(A) No person shall ride a bicycle upon a sidewalk within a business district when such conduct shall constitute a hazard to safety of pedestrians.

(B) The Town Marshal is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

(C) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

§ 73.06 ATTACHING BICYCLES TO POLES.

Any person may park near, and secure a bicycle to, any publicly owned pole or post for a period of not more than 12 consecutive hours, unless an official traffic-control device or any applicable law or ordinance prohibits parking or securing bicycles at that location. No bicycle shall be secured to any fire hydrant, or police or fire call box. No bicycle shall be secured in any manner so as to impede the normal and reasonable movement of pedestrian or other traffic.

§ 73.06 RESPONSIBILITY OF PARENT OR GUARDIAN.

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

CHAPTER 74: TRAFFIC SCHEDULES

Schedule

- I. Through streets and stop intersections
- II. Speed limits
- III. Truck route

SCHEDULE I. THROUGH STREETS AND STOP INTERSECTIONS.

(A) In accordance with the provisions of § 71.01, and when proper signs are erected vehicles shall be brought to a full stop at every intersection before entering any of the following streets or designated sections of streets:

<i>Street</i>	<i>Intersection with:</i>	<i>Ord. No.</i>	<i>Date Passed</i>
2nd	Locust	2-72	1-2-73
4th	Columbia	2-72	1-2-73
5th	Columbia Avenue	6-92	1-21-92
5th	High Street	6-92	1-21-92
5th	Locust Street	6-92	1-21-92
5th	Mill Street	6-92	1-21-92
6th	High	2-72	1-2-73
6th	Locust	2-72	1-2-73
6th	Maple	2-72	1-2-73
6th	Mill		
7th	High	2-72	1-2-73
7th	Locust	2-72	1-2-73
7th	Maple	2-72	1-2-73
8th	High	2-72	1-2-73
8th	Locust	2-72	1-2-73
8th	Maple	2-72	1-2-73
8th	Mill		

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<i>Street</i>	<i>Intersection with:</i>	<i>Ord. No.</i>	<i>Date Passed</i>
8th	CR 950N		
9th	High	2-72	1-2-73
9th	Locust	2-72	1-2-73
9th	Maple	2-72	1-2-73
9th	Progress	2-72	1-2-73
9th	SR-236	2-72	1-2-73
10th	Locust	2-72	1-2-73
10th	Maple	2-72	1-2-73
10th	SR-236	2-72	1-2-73
11th	Corporation Line Road	2-72	1-2-73
11th	Cottage	2-72	1-2-73
11th	Locust	2-72	1-2-73
11th	Maple		
11th	Progress		
11th	SR-236		
12th	Corporation Line Road	2-72	1-2-73
12th	Cottage	2-72	1-2-73
12th	High		
12th	Locust	2-72	1-2-73
12th	Maple		
12th	Progress		
12th	SR-236		
13th	Corporation Line Road	2-72	1-2-73
13th	Cottage	2-72	1-2-73
13th	High		
13th	Locust	2-72	1-2-73
13th	Maple		
13th	Progress		
13th	SR-236		

<i>Street</i>	<i>Intersection with:</i>	<i>Ord. No.</i>	<i>Date Passed</i>
14th	Congress Street	2019-6	6-18-19
14th	Corporation Line Road	2-72	1-2-73
14th	Cottage	2-72	1-2-73
14th	Locust	2-72	1-2-73
Beechwood	Maple	2-72	1-2-73
Beechwood	SR-236	2-72	1-2-73
Earl	CR 95ON		

(B) In accordance with the provisions of § 71.01, and when proper signs are erected, vehicles shall be brought to a full stop at every intersection before entering any of the following streets or designated sections of streets:

<i>Street</i>	<i>Intersection With</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Central Avenue	5th	2-72	1-2-73
Central Avenue	6th	2-72	1-2-73
Central Avenue	7th	2-72	1-2-73
Central Avenue	8th	2-72	1-2-73
Central Avenue	9th	2-72	1-2-73
Central Avenue	10th	2-72	1-2-73
Columbia Avenue	5th	2-72	1-2-73
Columbia Avenue	6th	2-72	1-2-73
Columbia Avenue	7th	2-72	1-2-73
Columbia Avenue	8th	2-72	1-2-73
Columbia Avenue	9th	2-72	1-2-73
Columbia Avenue	14th	2-72	1-2-73
Congress	11th	2-72	1-2-73
Congress	12th	2-72	1-2-73
Congress	13th	2-72	1-2-73
Congress	14th	2-72	1-2-73
Corporation Line Road			
Crestwood Drive	8th		

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<i>Street</i>	<i>Intersection With</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Locust Street	North 2nd Street (entrance and exit of Dietrich Park)	2015-7	12-1-15
Earl Avenue	8th		
High Street	2nd		
High Street	5th		
High Street	8th		
High Street	10th		
High Street	14th		
Liberty	5th	2-72	1-2-73
Liberty	6th	2-72	1-2-73
Liberty	7th	2-72	1-2-73
Liberty	8th	2-72	1-2-73
Locust Street	5th	2-72	1-2-73
Locust Street	8th		
Locust Street	10th	2-72	1-2-73
Locust Street	14th	2-72	1-2-73
Locust Street (eastbound)	Middletown Park exit (approx. 290 Locust St.)	2-4-03-1	2-19-03
Locust Street (eastbound)	North 2nd Street	2015-7	12-1-15
Locust Street (westbound)	Middletown Park exit (approx. 330 Locust St.)	2-4-03-1	2-19-03
Locust Street	Middletown Park exit (northbound traffic exiting park)	2-4-03-1	2-19-03
Locust Street (westbound)	North 2nd Street	2015-7	12-1-15
Maple	5th	2-72	1-2-73
Maple	8th	2-72	1-2-73
Maple	10th	2-72	1-2-73
Maple	11th		

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Street	Intersection With	Ord. No.	Date Passed
Maple	12th		
Maple	13th		
Mill Street	5th	2-72	1-2-73
Mill Street	8th		
No Name Road	8th		
Progress	Central Avenue		
Progress	10th	2-72	1-2-73
Progress	11th		
Progress	12th		
Progress	13th		
State Street	8th	2-72	1-2-73
State Street	14th	2-72	1-2-73

(C) *Penalty.* Any person who is convicted of violating the provisions of this schedule shall be punished by a fine not to exceed \$10.

SCHEDULE II. SPEED LIMITS.

(A) The maximum speed limit on all streets within the town shall be 25 miles per hour. Any person that operates a vehicle in excess of 25 miles per hour on any street within the town may be fined in an amount up to \$25.

(B) Nothing herein shall be deemed to require or compel the Town Police Department to utilize this section when enforcing the speed limit. The Town Police Department shall remain free to issue citations for violations of Indiana law, or may elect to utilize the provisions of this section when enforcing these speed limits.

(Am. Ord. 8-17-99, passed 9-21-99; Am. Ord. 7-2012, passed 9-4-12)

SCHEDULE III. TRUCK ROUTE.

(A) The truck route, specified by proper street sign, will direct semi-tractor trailers to travel east and west on Mill Street from the corporate limits on the west boundary to Fifth Street on the east boundary. Further, said signs will direct semi tractor-trailers to travel on Fifth Street north and southbound from Mill Street on the north to the corporate limits on the south where Fifth Street becomes Raider Road.

(B) All motor vehicles which are licensed and registered to hold or haul a load greater than 50,000 pounds, except for those vehicles that are conducting business with local merchants off the designated truck route, local farmers and town residents with empty trailers, are prohibited to travel on any street or alley in the town limits other than the designated truck route.

(C) Any person violating any provision of this Schedule III shall be fined \$50 payable to the Clerk-Treasurer immediately upon receipt of the citation for violation. If the citation for violation is received after the regular hours of the Clerk-Treasurer, the \$50 fine shall be paid by obtaining a money order from a local merchant and placing it in a sealed envelope in the drop box of the Clerk-Treasurer's office. If the \$50 fine is not paid within ten working days, the violator is responsible for the fine plus court costs and attorney fees in enforcing this Schedule III.

(Ord. 8-15-95, passed 10-3-95; Am. Ord. 21903, passed 3-18-03)

CHAPTER 75: PARKING SCHEDULES

Schedule

I. Prohibited parking

Cross-reference:

Civil penalty schedule, see § 36.04

SCHEDULE I. PROHIBITED PARKING.

When signs are erected giving notice thereof, no person shall at any time park a vehicle upon any of the following described streets or parts of streets:

Street	Location	Side	Ord. No.	Date Passed
5th	From 12 feet N or Locust to the corporate limits	East		
5th	From Mill Street to Columbia Ave	Both	21903	3-18-03
5th	From Columbia N to Liberty	West		
5th	Within 80 feet of the intersection of Locust St	West	2019-5	6-18-19
6th	From Locust N to Columbia	East	2-75	5-6-75
6th St	From Maple, N to Mill St	Both		
7th	From Locust N to Central	East	6-92	1-21-92
8th	From State N to Locust	West		
8th	From Locust N to SR-236	Both		
10th	From Corporation Line Road N to SR-236	East		
10th	From Locust, first 80 feet N	West		
10th	From 20 feet S of Cottage, N to 20 feet N of Cottage			
10th	From 60 feet S of RR tracks, N to SR-236	West		
Central	From 5th St, W to 6th St	North		

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<i>Street</i>	<i>Location</i>	<i>Side</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Central	From 5th St, W to 8th St, N	North	2015-8	12-1-15
Central	From 5th St, E to 4th St	South		
Central	From 6th St, W to 8th St	South		
Columbia	From 5th St, N to 8th St, W	North	2015-8	12-1-15
Columbia	From 5th St, E to 2nd St	South		
Columbia	From 5th St, W to 7th St	South		
Columbia	From 7th St, W to 8th St	North and within 50 feet of intersection with either street	05-17-2011-1	5-17-11
High St	From 5th St, W to 10th St	North		
Locust Street	From 160 feet E of 5th, W to the corporate limits	North		
Locust Street	From a point 30 feet E of the Entrance to Harvest Market Parking Lot, W to 8th St	South	2-75	5-6-75

Penalty, see § 72.99