

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL REGULATIONS

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§ 70.01 PURPOSE.

This title provides for the regulation of vehicular traffic on the streets and alleys of the town; it restricts the operation of trucks on residential streets; it prescribes permit requirements for use of town streets for parades and other purposes; it provides special controls of vehicular traffic under snow emergency conditions; it prescribed penalties for violations thereof; it provides for the control and regulation of vehicular traffic on the public school grounds, which grounds are operated by the Board of Trustees of the Spencer-Owen Community Schools; it effectuates the agreement made between the Town Council of Spencer and the Board of Trustees of the Spencer-Owen Community Schools concerning the enactment and enforcement of the traffic regulations as are necessary for the promotion of safety on the public school grounds; and it adopts a code of vehicular operation for public school grounds, pursuant to recommendation by the Board of Trustees of the Spencer-Owen Community Schools.

(Prior Code, Ch. 16, Art. I)

§ 70.02 DEFINITIONS.

(A) Terms used in this title shall have the meanings prescribed for the terms by the Motor Vehicle Laws of the State of Indiana unless specifically defined as a part of this chapter.

(B) For the purpose of this title, the following definitions shall apply unless the context indicates or requires a different meaning.

ALLEY. A public thoroughfare which affords only secondary means of vehicular access to abutting property and is not over 20 feet in width.

AUTHORIZED EMERGENCY VEHICLE. Includes vehicles of the Fire Territory, the Police Department, ambulances and the other emergency vehicles as are designated or authorized by the Town Marshal or the Superintendent of Streets.

INDIANA MANUAL. The *Indiana Manual on Uniform Traffic Control Devices for Streets and Highways*.

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. All signs, signals, markings and devices consistent with this chapter, placed or erected by authority of the Town Council for the purpose of regulating, warning or guiding traffic.

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 or unloading.

PEDESTRIAN. Any person afoot.

PERSON. Every individual, firm, partnership, association, company or corporation.

POLICE OFFICER. The Town Marshal and Deputy Marshals and the other authorized personnel to direct or regulate traffic or to make arrests for violations of traffic regulations.

RESIDENTIAL STREET. All town streets, alleys, and culverts within the corporate limits other than ***TRUCK ROUTES***.

SCHOOL GROUNDS. Any property for which the Board of Trustees of the Spencer-Owen Community Schools is trustee and which is devoted to public school use.

STREETS. Any reference in this Traffic Code to a specific street, avenue or drive shall be deemed to be a reference to the exact and correct name of the street so long as the name before the word ***STREET, AVENUE*** or ***DRIVE***, as the case may be, is correctly stated.

TRAFFIC. Includes pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any street for the purpose of travel.

TRAFFIC OFFICER. A special police officer with authority to issue citations for parking violations and to control traffic under special conditions as assigned by the Town Marshal.

TRUCK. Any vehicle that has more than 2 rear wheels, or more than 1 axle, or has an empty vehicle weight of more than 5,000 pounds.

TRUCK ROUTE. All state highways or routes within the town corporate limits duly designated as a truck route.

(Prior Code, Ch. 16, Art. II)

§ 70.03 POWERS OF TOWN COUNCIL.

The Indiana Code provides the Town Council with the authority to:

- (A) Control and regulate the standing or parking of vehicles upon any street, alley or other public area, within the town;
- (B) Regulate the flow of traffic by means of traffic control signals;
- (C) Designate particular streets as 1-way streets and require all vehicles to move in 1 specific direction;
- (D) Regulate the speed of vehicles on the streets, alleys or public places, within the town;
- (E) Designate any street as a through street and require that all vehicles stop before entering or crossing the street;
- (F) Designate any intersection as a stop intersection and require that all vehicles stop before entering or crossing the street;
- (G) Enact the traffic regulations pertinent to school grounds which the Board of Trustees of the Spencer-Owen Community Schools may recommend from time to time;
- (H) Direct police officers to enforce traffic regulations on school grounds and make arrests for violations thereof; and
- (I) Prescribe penalties for persons violating the provisions of this chapter.

(Prior Code, Ch.16, Art. III)

§ 70.99 PENALTY.

(A) Any person who violates any of the provisions of this title is subject to criminal and civil penalties.

(B) (1) *Fines.* Any person who violates any provision in this title, to which another fine is not specified in another chapter of this title, shall, provided that the alleged violator pay to the Spencer Clerk-Treasurer the sum of \$75 or speaks with the Chief Marshal in person and he or she elects to recall the citation, within 7 days of the alleged violation, the alleged violation shall be dismissed. However, after compliance with the 7 day dead line, the alleged violator may within 30 days of the citation's issuance date appeal in writing to the Town Council to reverse the violator's unfavorable decision. A reversal of any town ordinance citation takes a unanimous vote from the Board. All Board decisions are final.

(2) *Payment.* If the fine is not paid within the 7 day time period, additional penalty charges may be assessed and civil remedies shall be sought in the court having jurisdiction. Additional penalties to include reasonable attorney fees and court costs incurred by the town for collection of the account. (Prior Code, Ch.16, Art. XXI) (Am. Ord. 1984-8, passed 7-16-1984; Am. Ord. 2009-17, passed 9-21-2009)

CHAPTER 71: TRAFFIC CONTROL DEVICES

Section

- 71.01 Signs and signals
- 71.02 Specifications
- 71.03 Obedience to
- 71.04 Tampering with
- 71.05 Imitating or interfering with
- 71.06 Officially presumed

§ 71.01 SIGNS AND SIGNALS.

The town shall place and maintain official traffic control devices when and as required to make effective the provisions of this Traffic Code, and may place and maintain the additional official traffic control devices as it may deem necessary to regulate, warn or guide traffic under this Traffic Code or Indiana Motor Vehicle Laws.

(Prior Code, Ch.16, Art. IV, § 1)

§ 71.02 SPECIFICATIONS.

All traffic control signs, signals and devices shall conform to the *Indiana Manual* and all signs and signals required hereunder for the particular purpose shall, so far as practicable, be uniform as to type and location throughout the town and shall be official traffic control devices.

(Prior Code, Ch. 16, Art. IV, § 2)

§ 71.03 OBEDIENCE TO.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this Traffic Code, unless otherwise directed by a police officer or subject to the exceptions granted to the driver of an authorized vehicle.

(Prior Code, Ch. 16, Art. IV, § 3)

§ 71.04 TAMPERING WITH.

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

(Prior Code, Ch. 16, Art. IV, § 4) Penalty, see § 70.99

§ 71.05 IMITATING OR INTERFERING WITH.

(A) It shall be unlawful to maintain anywhere in the town any sign, signal, marking or device, other than a traffic sign or signal authorized and erected by the Town Council of Trustees, which purports to be or is an imitation of or resembles an official traffic control device in view of any street or highway; and it shall be unlawful to place or maintain any sign or other article which hides from view any lawful traffic control device.

(B) It shall be unlawful to maintain or operate, in view of any street, any flashing or rotating beacon light.

(Prior Code, Ch. 16, Art. IV, § 5) Penalty, see § 70.99

§ 71.06 OFFICIALLY PRESUMED.

When a traffic control sign, signal, marking or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper municipal authority.

(Ch. 16, Art. IV, § 6)

CHAPTER 72: GENERAL TRAFFIC REGULATIONS

Section

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- 72.02 Firefighting equipment
- 72.03 Obstructing traffic
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- 72.05 Emerging from alley or private driveway
- 72.06 Driving on sidewalk
- 72.07 Backing
- 72.08 No driving on streets closed for repairs
- 72.09 Railroad crossings
- 72.10 Operation of noisy vehicles unlawful
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- 72.12 Unlawful riding on vehicles
- 72.13 Human and animal propulsion and devices, and the like
- 72.14 Operation of human propulsion devices, and the like
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- 72.35 Police Department
- 72.36 Impoundment of vehicles
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GENERAL REGULATIONS

§ 72.01 FOLLOWING EMERGENCY VEHICLES.

No driver of any vehicle shall follow any authorized emergency vehicle apparently traveling in response to an emergency call closer than 1,000 feet or drive or park his or her vehicle within a radius of 2 blocks from the point where the fire apparatus has stopped in answer to a fire alarm.

(Prior Code, Ch. 16, Art. VI, § 1) Penalty, see § 70.99

§ 72.02 FIREFIGHTING EQUIPMENT.

It shall be unlawful for any person to drive over any hose lines or other equipment of the Fire Territory, except in obedience to the direction of a firefighter or police officer.

(Prior Code, Ch. 16, Art. VI, § 2) Penalty, see § 70.99

§ 72.03 OBSTRUCTING TRAFFIC.

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 vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(Prior Code, Ch. 16, Art. VI, § 3) Penalty, see § 70.99

§ 72.04 OBSTRUCTING VIEW AT CORNERS.

It shall be unlawful to construct or maintain or permit to remain, any fence, sign or other structure or article, or any bushes or other plants, on a corner lot, at any intersection of a street or alley, which obstructs the clear view of the intersection, adjacent street, or any on-coming traffic, at a height of more than 3 feet above the level of the adjacent street pavement.

(Prior Code, Ch. 16, Art. VI, § 4) Penalty, see § 70.99

§ 72.05 EMERGING FROM ALLEY OR PRIVATE DRIVEWAY.

The driver of a vehicle 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, yielding 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.

(Prior Code, Ch. 16, Art. VI, § 5)

§ 72.06 DRIVING ON SIDEWALK.

The driver of a vehicle shall not drive on or across any sidewalk area, except where there is a permanent or temporary driveway.

(Prior Code, Ch. 16, Art. VI, § 6) Penalty, see § 70.99

§ 72.07 BACKING.

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

(Prior Code, Ch. 16, Art. VI, § 7) Penalty, see § 70.99

§ 72.08 NO DRIVING ON STREETS CLOSED FOR REPAIRS.

Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purposes.

(Prior Code, Ch. 16, Art. VI, § 8) Penalty, see § 70.99

§ 72.09 RAILROAD CROSSINGS.

Whenever any person driving a vehicle approaches a railroad grade crossing within town, he or she shall approach with great caution and, if a train is approaching so near as to constitute a grave danger, the driver of the vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until he or she can safely do so.

(Prior Code, Ch. 16, Art. VI, § 9)

§ 72.10 OPERATION OF NOISY VEHICLES UNLAWFUL.

It shall be unlawful and a public nuisance for a person to drive or operate a motor vehicle which makes or emits an unusually loud or unnecessary noise, including but not limited to, the unnecessary racing of motor, or causing the screeching or squealing of tires.

(Prior Code, Ch. 16, Art. VI, § 10) Penalty, see § 70.99

§ 72.11 USE OF VEHICLE HORNS.

Every motor vehicle shall be equipped with a good and audible signaling device or horn in efficient working condition. The signaling device shall be sounded only when necessary to give timely warning of the approach of the vehicle, and it shall be unlawful and a public nuisance for any person to sound his or her signaling device or horn for any purpose other than as a warning of impending danger.

(Prior Code, Ch. 16, Art. VI, § 11)

§ 72.12 UNLAWFUL RIDING ON VEHICLES.

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

(Prior Code, Ch. 16, Art. VI, § 12) Penalty, see § 70.99

§ 72.13 HUMAN AND ANIMAL PROPULSION AND DEVICES, AND THE LIKE.

Every person being propelled by any human propulsion device or riding an animal upon a roadway and every person driving any animal-drawn vehicle, shall be subject to the provisions of this subchapter applicable to the driver of any vehicle, except those provisions which by his or her very nature can have no application.

(Prior Code, Ch. 16, Art. VI, § 13)

§ 72.14 OPERATION OF HUMAN PROPULSION DEVICES, AND THE LIKE.

No person upon roller blades, skates, skateboard, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway (excluding road worthy sport bicycle equipments and riders). However, it shall be permissible while crossing a street at an intersection on a crosswalk. When so crossing, the person shall be granted all the rights and shall be subject to all the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street.

(Prior Code, Ch. 16, Art. VI, § 14) Penalty, see § 70.99

§ 72.15 OPERATION OF EMERGENCY VEHICLES.

(A) The driver of an authorized emergency vehicle, when responding to an emergency call, in the pursuit of an actual suspected violator of the law or when responding to but not upon returning from a fire alarm, may disregard regulations governing direction of movement or turning in specified directions

as required by this section.

(B) The exemption herein granted to the driver of an authorized emergency vehicle shall apply only when the driver of the vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least 1 lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

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

(Prior Code, Ch. 16, Art. XIV)

§ 72.16 TRAVEL EMERGENCIES.

(A) *Caution.* When conditions may develop that hinders travel in isolated areas the Owen County Emergency Management Director may issue a Cause (color-white.) No travel restrictions have been placed in effect, but citizens should be alert to changing conditions.

(B) *Advisory.* When conditions develop that may hinder routine travel or activities may be restricted in areas because of a hazardous situation the Owen County Emergency Management Director may issue an Advisory (color-yellow.) No travel restrictions have been placed in effect, but citizens should be alert to changing conditions. Schools and businesses may begin to implement their emergency actions plans.

(C) *Declaration of travel emergency.* When the Owen County Emergency Management Director issues a Watch (color-orange) or Warning (color-red) for Owen County, pursuant to the terms and conditions of the Declarations of Transportation Emergencies Ordinance of Owen County, a travel emergency is also declared for the Town of Spencer.

(D) *Restrict driving.*

(1) WATCH. When a Watch is issued all persons are restricted to essential travel only, such as to and from work, to obtain medical care, to obtain supplies of food or fuel, to seek shelter, or the travel of emergency vehicles and emergency workers engaged in emergency operations. The broadcast of such declaration, extension, or termination of the Watch shall be by the means established under the Owen County Declarations of Transportation Emergencies Ordinance.

(2) WARNING. When a Warning is issued all persons are prohibited from travel on the roadways with the exception of necessary emergency or critical occupations personnel while engaged in necessary emergency or critical occupations operations. The broadcast of such declaration, extension, or termination of the Warning shall be by the means established under the Owen County Declarations of Transportation Emergencies Ordinance.

(E) *Parking Prohibition.*

(1) When a Watch or Warning is issued, each person shall remove his or her parked vehicle from the street to facilitate snow removal, debris removal, access for emergency vehicles, evacuation or other emergency purpose. This action must be done within four (4) hours of the original issue of the Watch or Warning.

(F) *Removal of stalled or parked vehicles.*

(1) If a vehicle becomes stalled on a roadway for which a parking prohibition is in effect, the person operating the vehicle must take immediate action to have the vehicle removed from the roadway. The person may not abandon the vehicle in the roadway except for the purpose of securing assistance for the time necessary to go to a nearby telephone, garage, or other place of assistance and return without delay.

(2) The Town Marshal shall, when required by the Superintendent of Streets, cause the removal of parked or stalled vehicles from a roadway to the nearest garage or other place of safety, including another place on the roadway, or to a facility maintained by the Town if one of the following apply:

(a) The vehicle is parked on a roadway for which parking prohibition is in effect;

(b) The vehicle is stalled on a roadway for which a parking prohibition is in effect; the vehicle presents a hazard to traffic, snow or debris removal, or emergency operations; and the available evidence does not reasonably suggest that the operator of the vehicle is attempting to remove it.

(c) The vehicle is parked illegally and interferes with snow or debris removal or emergency operations.

(3) If a vehicle is removed under subsection (2), the Spencer Police Department shall provide written notice to the vehicles owner if the Department is able to ascertain the name and the address of the vehicle's owner through registration records or otherwise. The notice shall advise the owner of the fact of removal, the reason for removal, and the place to which the vehicle was removed.

(4) If Spencer Police Department is unable to ascertain the name and address of the vehicle's owner to provide notice under subsection (3), the Department shall, within seventy-two (72) hours of the removal notify the Bureau of Motor Vehicles of the location and description of the vehicle.

(5) To recover a vehicle removed under this section, the owner of the vehicle must present evidence of the person's identity and right to possession of the vehicle to the Spencer Police Department or the towing service that removed the vehicle. In addition, the person must sign a receipt for the return of the vehicle and pay the costs of the removal and any storage fees. The costs and fees constitute a lien on the vehicle under IC 32-33-10.

(6) The Spencer Police Department shall maintain a record of each vehicle removed under this Section. The record must include a description of the vehicle, its license number, the date and time of removal, the place of removal, the place which it was removed, the reason for removal and, if known, the name and address of the owner and/or operator. If a towing service obtains this information on behalf of the Spencer Police Department, the towing service shall provide the record to the Spencer Police Department

(7) To implement this Section, the Town Marshal and the Superintendent of Streets may enter into any contracts with towing services for the removal and storage of vehicles.

(8) The Town of Spencer, Spencer Police Department or the Street Department, their agents, servants, or assigns, owner or occupant of the property from which a vehicle is removed, authorized towing service, automobile scrap yard, or other contractor are not liable for loss or damage to a motor vehicle removed, stored, or disposed of under this Section.

(G) It shall be the responsibility of the property owner to remove snow from their personal driveways and the sidewalks adjacent to their property. When removing snow,

the owner, its agents, servants, or assigns, shall not permit snow to be pushed onto a public thoroughfare.

(Prior Code, Ch. 16, Art. XVI) (Am. Ord. 2013-5 , passed 5-6-2013)

§ 72.17 PARADES AND OTHER USES OF TOWN STREETS.

(A) *Permit required.* It shall be unlawful for any person, club, organization, association, or similar group to hold any meeting, parade, demonstration or exhibition on the public streets without a responsible representative of the organization first securing a permit from the town. A permit shall not be issued by the town unless it determines, in coordination with the Town Marshal, that the proposed activity will not unreasonably interfere with traffic and unless the applicant for the permit shall agree and accept responsibility for the immediate clean up of all litter which may be left on the streets as a result of the activity.

(B) *Bonding/insurance requirements.* If in the town's judgment a bond and/or insurance coverage should be provided by the club, organization or similar group to protect the interest of the town or to guarantee performance of the terms of the permit, the town shall require the applicant to provide such a bond or insurance coverage in a reasonable amount before issuance of the permit.

(C) *Unlawful to leave litter/trash.* It shall be unlawful for any person obtaining a permit to fail to carry out his or her agreement to immediately clean up and dispose of all litter, trash, or other unsanitary materials resulting from use of the street.

(Prior Code, Ch. 16, Art. XVIII) Penalty, see § 70.99

RULES AND ENFORCEMENT

§ 72.35 POLICE DEPARTMENT.

(A) It is the duty of the Town Marshal, or the deputies as are assigned by him or her:

(1) To enforce the Traffic Code of the town, and the state vehicle laws applicable to street traffic in the town;

(2) To enforce all traffic regulations of the town and state vehicle laws as they apply to the school grounds; and

(3) To direct all traffic in person, or by means of visible or audible signal in conformance with the provisions of the Traffic Code, provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, the Town Marshal or the officers as are assigned by him or her may

direct traffic as conditions may require notwithstanding the provisions of this Traffic Code.

(B) The Town Marshal is hereby empowered to make and enforce the traffic regulations as are necessary to make effective the provisions of this Traffic Code and to make and enforce temporary regulations to meet emergency traffic conditions.

(Prior Code, Ch. 16, Art. XX, § 1)

§ 72.36 IMPOUNDMENT OF VEHICLES.

Members of the Police Department are hereby authorized, when reasonably necessary to prevent obstruction of traffic, to remove from the streets and alleys and impound any vehicle whose operator is arrested, or any vehicle which is illegally parked, or otherwise parked or stalled so as to constitute an obstruction or hazard to normal traffic. Such an impounded vehicle shall be stored until the owner claims it, given satisfactory evidence of ownership, and pays all applicable fines, costs, towing and storage charges.

(Prior Code, Ch. 16, Art. XX, § 2)

§ 72.37 TRAFFIC CITATIONS.

When a police officer halts a violator other than for the purpose of giving a warning and does not take the person into custody under arrest, may issue to him or her a written ordinance citation containing a notice to answer to the charge against him or her in the appropriate authority by a specific time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation shall forward it in a timely manner through the appropriate channels. Provided that the alleged violator pays to the Spencer Clerk-Treasurer the sum of \$75.00 or speaks with the Chief Marshal in person and he or she elects to recall the citation, within 7 days of the alleged violation, the alleged violation shall be dismissed. However, after compliance with the 7-day deadline, the alleged violator may within 30 days of the citations issuance date appeal in writing to the Town Council to reverse their unfavorable decision. A reversal of any Town Ordinance citation takes a unanimous vote from the Board. All Board decisions are final.

(Prior Code, Ch. 16, Art. XX, § 3)(Am. Ord. 2017-14, passed 10-2-2017)

§ 72.38 FAILURE TO OBEY CITATION.

It shall be unlawful for any person to violate his or her written promise after giving the promise to a police officer upon the issuance of a town ordinance citation. Civil remedies and additional cost to the

town associated with the collection of the fees may be filed against the violator in accordance with state law.

(Prior Code, Ch. 16, Art. XX, § 4) Penalty, see § 70.99

§ 72.39 FIRE TERRITORY PERSONNEL.

Officers of the Fire Territory, in the absence of a police officer, may direct or assist the police in directing traffic in the event of a fire.

(Prior Code, Ch. 16, Art. XX, § 5)

§ 72.40 OBEDIENCE TO CROSSING GUARDS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a Spencer Police Department police officer, or Fire Territory official, an adult school crossing guard or a member of a school safety patrol while the adult crossing guard or school safety patrol member is engaged in controlling traffic at a school crossing for pedestrians.

(Prior Code, Ch. 16, Art. XX, § 6) Penalty, see § 70.99

§ 72.41 REPORTING ACCIDENTS.

The driver of a vehicle involved in an accident within the limits of the town which results in injury to or death of any person or in property damage to an apparent extent of \$1,000 or more, shall immediately and by the quickest means of communication notify the Spencer Police Department of such an accident.

(Prior Code, Ch. 16, Art. XVII)

§ 72.42 DAMAGE TO PAVEMENTS.

(A) *Damage by vehicle operation.* No person shall operate upon any street of the town any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of the street.

(B) *Damage by burning, and the like.* It shall be unlawful for any person to burn leaves or trash of any kind or to pour salty or waste water, or oil of any description upon paved streets in the town.

(C) *Restoring damaged streets.* All defective conditions made in the streets and alleys of the town by any person for any reason whatsoever shall restore them to their original condition within 15 days after receiving notice to do so from the Clerk-Treasurer.

(D) *Payment for damages.* If repairs are not made as requested by notice from the Clerk-Treasurer, the repairs will be made on order of the Town Council and the costs of making the repairs will be charged to the person causing the damage.

(Prior Code, Ch. 16, Art. XIX) Penalty, see § 70.99

§ 72.99 PENALTY

Unless otherwise specified, any person who violates any section in this chapter shall be subject to a fine of \$75.00. Each day that the violation exists shall be considered a separate and distinct offense. Alleged violators of ordinances in this Town Code of Spencer may pay the Spencer Clerk-Treasurer, within 7 days of the alleged violation, the sum required by the citation issued. If the fine is not paid in 7 days, charges shall be filed in the court of competent jurisdiction. Any person who violates any provisions of this chapter shall become liable to the Town for any expense, loss, damage, by reason of the violation including reasonable attorney fees incurred by the Town for collection of the account.

(Ord. 2013-5, passed 5-6-2013) (Am. Ord. 2017-14, passed 10-2-2017)

CHAPTER 73: SPORT BICYCLE EQUIPMENT AND OTHER RECREATIONAL VEHICLES

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Statutory reference:

Extreme sport equipments and motorized sport bicycle equipments, see I.C. 9-21-11 and I.C. 34-6-2-44.6

GENERAL PROVISIONS

§ 73.01 PURPOSE.

This chapter establishes a program for the voluntary registration of sport bicycle equipments and motorized sport bicycle equipments; it requires proper safety equipment; and it regulates and controls the usage of sport bicycle equipments and motorized sport bicycle equipments in the interest of safety.
(Prior Code, Ch. 18, Art. I)

§ 73.02 DEFINITIONS.

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

SPORT BICYCLE EQUIPMENT. Any foot propelled vehicle, irrespective of the number of wheels in contact with the ground. The use of skateboards are prohibited.

MOTORIZED SPORT BICYCLE EQUIPMENT. Any sport bicycle equipment with operable pedals which may be propelled by human power or an internal combustion engine or a battery powered motor, or both and when powered by an internal combustion engine having a rating of no more than 1.5 brake horsepower and a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission, and a maximum design speed of no more than 25 mph on a flat surface. Any motorized sport bicycle equipment must have a minimum height of 24 inches in height from the ground for the seat or handlebar when no seat is present.

(Prior Code, Ch. 18, Art. II)

§ 73.03 VOLUNTARY REGISTRATION PROGRAM.

The owner of any sport bicycle equipment or motorized sport bicycle equipment living within the corporate limits of the town is urged and encouraged to register his or her sport bicycle equipment or motorized sport bicycle equipment with the Town Marshal. This is an entirely voluntary program and its objective is to provide a means of identification should the sport bicycle equipment or motorized sport bicycle equipment be lost or stolen.

(Prior Code, Ch. 18, Art. III)

§ 73.04 IMPOUNDMENT OF SPORT BICYCLE EQUIPMENT.

(A) Members of the Police Department are hereby authorized to impound any sport bicycle

equipment or motorized sport bicycle equipment when the owner thereof shall have violated any of the regulations herein and the impoundment is ordered for a determinate period of time as a part of the penalty for violation of this chapter.

(B) An impounded sport bicycle equipment or motorized sport bicycle equipment shall be stored until redeemed or otherwise released.

(C) Any sport bicycle equipment or motorized sport bicycle equipment left in impoundment for 6 months shall be disposed of by the police.

(Prior Code, Ch. 18, Art. VII) Penalty, see § 73.99

RIDING OF SPORT BICYCLE EQUIPMENT/MOTORIZED SPORT BICYCLE EQUIPMENT

§ 73.20 APPLICABILITY OF TRAFFIC REGULATIONS.

Persons riding sport bicycle equipments or motorized sport bicycle equipments upon a roadway shall be entitled to all the rights and shall be subject to all the duties applicable to the driver of a vehicle, except as changed by the provisions of this subchapter, and except as to those provisions of laws and other regulations which by their nature have no application.

(Prior Code, Ch. 18, Art. IV, § 1)

§ 73.21 OBEDIENCE TO SIGNALS.

Any person operating a sport bicycle equipment or motorized sport bicycle equipment shall obey the instructions of official traffic control signals, posted speed limits, signs, and other control devices applicable to vehicles unless otherwise directed by a police officer.

(Prior Code, Ch. 18, Art. IV, § 2)

§ 73.22 OPERATORS OF MOTORIZED SPORT BICYCLE EQUIPMENT.

A motorized sport bicycle equipment shall not be operated by any person under the age of 15 years.

(Prior Code, Ch. 18, Art. IV, § 3) Penalty, see § 73.99

§ 73.23 MOTORIZED SPORT BICYCLE EQUIPMENT PROHIBITED ON SIDEWALKS.

No person shall operate or ride a motorized sport bicycle equipment on the sidewalks of the town.

(Prior Code, Ch. 18, Art. IV, § 4) Penalty, see § 73.99

§ 73.24 PEDESTRIANS HAVE RIGHT-OF-WAY.

Whenever any person is riding a sport bicycle equipment upon sidewalks, the person shall yield the right-of-way to any pedestrian.

(Prior Code, Ch. 18, Art. IV, § 5)

§ 73.25 RIDING ON SIDEWALKS IN BUSINESS AREAS PROHIBITED.

No person shall ride a sport bicycle equipment on a sidewalk in front of a business establishment, government office, or on the sidewalks around the County Courthouse.

(Prior Code, Ch. 18, Art. IV, § 6) Penalty, see § 73.99

§ 73.26 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a sport bicycle equipment/motorized sport bicycle equipment emerging from an alley or driveway, shall upon approaching a sidewalk extending across the alley or driveway, yield the right-of-way to all pedestrians approaching on the sidewalk, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

(Prior Code, Ch. 18, Art. IV, § 7)

§ 73.27 RIDING ON AN SPORT BICYCLE EQUIPMENT.

(A) A person propelling a sport bicycle equipment/motorized bicycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon the bicycle or motorized bicycle otherwise than upon a firmly attached regular seat thereon, nor shall any person ride upon a bicycle or motorized bicycle in any manner other than as stated above.

(B) No bicycle or motorized bicycle shall be used to carry more persons at 1 time than the number for which it is designed and equipped.

(Prior Code, Ch. 18, Art. IV, § 8) Penalty, see § 73.99

§ 73.28 RIDING IN A GROUP.

Persons riding bicycles or motorized bicycles upon a roadway shall not ride more than 2 abreast except on paths or parts of roadways set aside for the exclusive use of bicycles or motorized bicycles.

(Prior Code, Ch. 18, Art. IV, § 9) Penalty, see § 73.99

§ 73.29 CLINGING TO VEHICLES.

Any person upon any bicycle, motorized bicycle, coaster, roller skates or toy vehicle shall not attach the same or himself or herself to any bicycle upon a roadway.

(Prior Code, Ch. 18, Art. IV, § 10) Penalty, see § 73.99

§ 73.30 CARRYING ARTICLES WHILE RIDING.

No person riding a bicycle or motorized bicycle shall carry any package, bundle or article which prevents the rider from keeping both hands upon the handle bars.

(Prior Code, Ch. 18, Art. IV, § 11) Penalty, see § 73.99

SAFETY EQUIPMENT REQUIRED

§ 73.45 BRAKES.

Every bicycle and motorized bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, and clean pavement.

(Prior Code, Ch. 18, Art. V, § 1)

§ 73.46 LIGHTS AND REFLECTORS.

Every bicycle and motorized bicycle operated on a public highway or on a street within the town from 1/2 hour after sunset until 1/2 hour before sunrise shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear; except that a red reflector may be used in lieu of a rear light.

(Prior Code, Ch. 18, Art. V, § 2)

§ 73.47 AUDIBLE SIGNALS.

No person shall ride a bicycle or motorized bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that no bicycle or motorized bicycle shall be equipped with, nor shall any person use upon a bicycle or motorized bicycle any siren or whistle.

(Prior Code, Ch. 18, Art. V, § 3) Penalty, see § 73.99

ENFORCEMENT

§ 73.60 PARENTS/GUARDIANS.

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

(Prior Code, Ch. 18, Art. VI, § 1) Penalty, see § 73.99

§ 73.61 APPLICABILITY.

These provisions of this chapter shall apply whenever a bicycle or motorized bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles or motorized bicycles, subject to those exceptions stated herein.

(Prior Code, Ch. 18, Art. VI, § 2)

§ 73.99 PENALTY.

Any person who violates any section in this chapter shall be subject to impoundment and a fine of \$75.00. Alleged violators of ordinances in the Town Code of Spencer may pay the Spencer Clerk-Treasurer, within 7 days of the alleged violation, the sum required by the citation issued. If the fine is not paid in 7 days, charges shall be filed in the court having jurisdiction over the alleged violation. Any person who violates any provisions of this chapter shall become liable to the town for any expense, loss or damage by reason of the violation including reasonable attorney fees incurred by the town for collection of the account.

(Prior Code, Ch. 18, Art. VIII) (Am. Ord. 2017-14, passed 10-2-2017)

CHAPTER 74: PEDESTRIANS

Section

74.01 Crossing streets

74.02 Jaywalking

§ 74.01 CROSSING STREETS.

(A) Pedestrians shall be subject to traffic control signals at intersections where the signals are operating. When traffic control signals are not operative or in place, the driver of a vehicle shall yield the right-of-way to pedestrians crossing the roadway within the crosswalk.

(B) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield the right-of-way.

(Prior Code, Ch. 16, Art. XV, § 1) Penalty, see § 10.99

§ 74.02 JAYWALKING.

Every pedestrian crossing a roadway at any point other than within the crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(Prior Code, Ch. 16, Art. XV, § 2)

CHAPTER 75: PARKING

Section

General Provisions

- 75.001 Purpose
- 75.002 Definitions
- 75.003 Violations

Parking Prohibitions

- 75.020 Parking prohibited at all times
- 75.021 Alley parking
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- 75.023 Standing vehicles
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- 75.080 Parallel parking
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- 75.095 No parking zones
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- 75.115 Declaration of snow emergency
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- 75.130 Parking meter zones
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- 75.133 Permits for parking in metered spaces
- 75.134 Use of funds

- 75.999 Penalty

Cross-reference: See *Business survey and enforcement of parking accessibility, § 92.070*

GENERAL PROVISIONS

§ 75.001 PURPOSE.

This chapter provides for the regulation of vehicle parking within the town; it prohibits parking under certain conditions; it provides for the installation and use of parking meters and the issuance of parking permits and it provides for penalties for the violation thereof.

(Prior Code, Ch. 17, Art. I)

§ 75.002 DEFINITIONS.

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

(B) Terms used in this chapter shall have the meanings prescribed for the terms by the motor vehicle laws of the State of Indiana unless specifically defined as a part of this chapter.

CROSSWALK. That portion of a roadway ordinarily included within the prolongation or connection of lateral lines of sidewalks at intersections whether marked by lines as such or not any portion of a roadway distinctly indicated for pedestrian crossing by lines of other markings on the surface of the roadway.

HANDICAP PARKING AREA. An area designated as a parking area accessible to and for the use of a person with a handicap.

HOUSE CAR. Every vehicle, with or without motive power, equipped exclusively for living quarters for persons traveling upon highways.

OPERATOR. Any person who operates a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of the vehicle.

PARK or PARKING. The standing of a vehicle, whether occupied or not, upon the street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience of traffic regulations, signs or signals or an involuntary stopping of the vehicle.

PARKING METER. Any mechanical device or meter not inconsistent with this section. Each parking meter installed shall indicate by proper legend the legal parking time established by the town and when operated shall at all times indicate the balance of the legal parking time, and at the expiration of the period shall indicate illegal or overtime parking.

PARKING METER SPACE. Any space within the parking and which is designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meter.

PARKING METER ZONES. Any street section upon which parking meters are installed and in operation.

PERSON. An individual, firm, partnership, company or corporation.

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

TRAFFIC OFFICER. A special police officer with authority to issue citations for parking violations and to control traffic under special conditions when assigned to such duty by the Town Marshal.

TRUCK. A vehicle that has more than 2 rear wheels, more than 1 axle or has an empty weight of more than 5,000 pounds.

(Prior Code, Ch. 17, Art. II) (Am. Ord. 2009-18, passed 9-21-2009)

§ 75.003 VIOLATIONS.

No person shall:

(A) Cause, allow, permit or suffer any vehicle registered in the name of, or operated by the person to park overtime, or beyond the period of legal parking time established for any parking meter zone, or deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone;

(B) Permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying the parking space has already been parked beyond the period prescribed for the parking space;

(C) Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by the lines or markings;

(D) Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter; and

(E) Deposit or cause to be deposited in any parking meter any slugs, device or metal substance, or other substitute for lawful coins.

(Prior Code, Ch. 17, Art. IX, § 9) Penalty, see § 75.999

PARKING PROHIBITIONS.

§ 75.020 PARKING PROHIBITED AT ALL TIMES.

No person shall stop, stand or park a vehicle at any time for any purpose in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer, traffic control sign or signal:

(A) Within an intersection;

(B) On any grassy area between a curb and sidewalk;

(C) On a crosswalk;

(D) Between a safety zone and the adjacent curb or within 20 feet of points on the curb immediately opposite the ends of a safety zone, unless the Police Department shall indicate a different length by proper sign;

(E) Within 25 feet from the intersection of curb lines;

(F) Within 30 feet upon the approach of any flashing beacon, stop sign or traffic control signal located at the side of the roadway;

(G) Within 20 feet of the driveway entrance to any fire station;

(H) Within 15 feet of any fire hydrant;

(I) In front of any public or private driveway;

(J) On a sidewalk;

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

(L) Alongside any curb painted yellow or red by the town;

(M) On the roadway side of any parked vehicle, commonly known as “double parking”; and

(N) Upon any bridge or under any elevated structure.

(Prior Code, Ch. 17, Art. III, § 1) Penalty, see § 75.999

§ 75.021 ALLEY PARKING.

No person shall park any vehicle in any alley except for a period not exceeding 30 minutes while loading or unloading the vehicle.

(Prior Code, Ch. 17, Art. III, § 2) Penalty, see § 75.999

§ 75.022 OBSTRUCTIONS OF TRAFFIC.

(A) No person shall park any vehicle upon a street or alley in such a manner or under such conditions so as to leave available less than 10 feet of the width of the roadway of the street or alley free for the movement of vehicular traffic.

(B) No person shall stop, stand or park a vehicle within an alley or street in such position as to block the driveway entrance to any abutting property.

(Prior Code, Ch. 17, Art. III, § 3) Penalty, see § 75.999

§ 75.023 STANDING VEHICLES.

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 brakes thereon and turning the front wheels to the curb or side of the roadway.

(Prior Code, Ch. 17, Art. III, § 4) Penalty, see § 75.999

§ 75.024 PARKING TEMPORARILY.

The Town Marshal is hereby authorized to erect or cause to be erected, temporary signs indicating no parking upon any street when the parking would interfere with traffic or create a hazardous situation. When the signs are erected indicating “No Parking” upon any street, no person shall park a vehicle in any such designated area.

(Prior Code, Ch. 17, Art. III, § 5) Penalty, see § 75.999

§ 75.025 VEHICLE TO OCCUPY SINGLE PARKING SPACE.

It shall be unlawful for any person to park a vehicle in any designated parking space so that any part of the vehicle occupies more than 1 space or protrudes beyond the official marking on the street or curb designating the space.

(Prior Code, Ch. 17, Art. III, § 6) Penalty, see § 75.999

§ 75.026 PARKING FOR SALE, REPAIR OR FUTURE REPAIR.

No person shall park a vehicle upon any roadway in the town for the principal purpose of:

- (A) Displaying the vehicle for sale;
- (B) Washing, greasing or repairing the vehicle; or

(C) Holding or storing a vehicle for future repair in a garage, body shop or other facility used for the repair, painting or other work on vehicles. This shall also include vehicles wherein the repair is complete and it is awaiting under customer pickup

(Prior Code, Ch. 17, Art. III, § 7) Penalty, see § 75.999 (Am. Ord. 2019-02, passed 1-22-2019)

§ 75.027 PRIVATE PARKING SIGNS.

No person shall place any sign along or on any street or alley or designated any place thereon with the intent to regulate or prevent the parking of vehicles on any street or alley, and the Town Marshal shall cause the signs to be removed.

(Prior Code, Ch. 17, Art. III, § 8) Penalty, see § 75.999

VEHICLE PARKING RESTRICTIONS

§ 75.040 LARGE AND HEAVY VEHICLES.

It shall be unlawful to park tractors, including farm tractors and other farm machinery, trailers and semi-trailers, tank trucks, wreckers, buses, including school and church buses, house cars and trucks having a manufacturer's gross vehicle weight rate of over 10,000 pounds, or any vehicle in excess of 21 feet in length, or having a height in excess of 7 feet 6 inches, or a width in excess of 7 feet on any public street in the town for a period in excess of 2 hours during any 24 hour period.

(Prior Code, Ch. 17, Art. IV, § 1) Penalty, see § 75.999

§ 75.041 EQUIPMENT PARKING.

Except for equipment required for immediate and emergency repair of public utilities, it shall be unlawful for any equipment or machinery, whether self-propelled or towed, to be permitted to stand or be parked on the public streets of the town without first obtaining the written permission and consent of the Town Marshal to do so.

(Prior Code, Ch. 17, Art. IV, § 2) Penalty, see § 75.999

§ 75.042 PARKING FOR REPAIR; CONSTRUCTION WORK.

(A) The Town Marshal shall have authority to grant permission to persons who can show a compelling necessity for parking temporarily upon the public streets while engaged in repair operations or construction activities for a limited period of time at a specifically designated site.

(B) Service trucks may be parked on the public streets, if needed, while operators are engaged in the repair or service of utilities in places of residence or business, if no suitable off-street space is available adjacent to the property.

(Prior Code, Ch. 17, Art. IV, § 3) Penalty, see § 75.999

DELIVERY TRUCK PARKING

§ 75.060 USE OF ALLEYS, OFF-STREET AND LOADING ZONES.

(A) For the safety and protection of motorists and pedestrians, trucks, delivering goods, materials and merchandise shall use the alleys, off-street areas and the marked “Loading Zones” to the maximum extent while conducting loading and unloading operations.

(B) The operator of each delivery truck shall complete his or her unloading and/or loading operations in the shortest possible time in order to provide space for other delivery vehicles and to refrain from blocking the alleys and truck loading zones for a longer period of time than is absolutely necessary. (Prior Code, Ch. 17, Art. V, § 1)

§ 75.061 TRUCK LOADING; UNLOADING IN METERED ZONES.

Operators delivering goods, materials and merchandise to business establishments in the metered zone of the town shall park at the angle specified by the parking area markings and shall deposit the coins in the meter as are required by this chapter.

(Prior Code, Ch. 17, Art. V, § 2) Penalty, see § 75.999

§ 75.062 SPECIAL TRUCK PARKING.

(A) The Town Marshal is authorized to allow temporary parking for a limited period of time to operators delivering goods, materials and merchandise and who need to back into a metered parking space or the parallel park to load or unload goods.

(B) Operators must deposit the appropriate amount of coins in the meters to cover every metered space that they are occupying.

PARKING POSITIONS

§ 75.080 PARALLEL PARKING.

Except where angle parking is permitted, a vehicle stopped or parked upon a roadway shall be stopped or parked with the curb side wheels of the vehicle parallel with and within 12 inches of the curb or edge of the roadway.

(Prior Code, Ch. 17, Art. VI, § 1)

§ 75.081 ANGLE PARKING.

(A) Vehicles shall be parked at an angle to the curb, as marked on the roadway on those streets listed in Chapter 77, Parking Schedule I, attached hereto and made a part hereof.

(B) It shall be unlawful for any person to angle park any vehicle which has a trailer attached to it or any vehicle which protrudes beyond marking.

(Prior Code, Ch. 17, Art. VI, § 2) Penalty, see § 75.999

PARKING ZONES

§ 75.095 NO PARKING ZONES.

(A) The streets described in Chapter 77, Parking Schedule II, attached hereto and made a part hereof, are designated no parking zones.

(B) When appropriate signs conforming to the requirements of the Traffic Code are erected, no person shall park a vehicle on the side of the street at the times designated in Chapter 77, Parking Schedule I.

(Prior Code, Ch. 17, Art. VII, § 1) Penalty, see § 75.999

§ 75.096 LIMITED PARKING ZONES.

(A) *Streets.*

(1) The streets described in Chapter 77, Parking Schedule III, attached hereto and made a part hereof, are designated limited parking zones.

(2) When appropriate signs conforming to the requirements of this Traffic Code are erected, no person shall park a vehicle on the side of the street or for any continuous period of time longer than designated in Chapter 77, Parking Schedule III. The limited parking zones may or may not be regulated by parking meters as designated in the schedule.

(3) When a towing zone, or tow-in zone sign is posted, any person who parks a vehicle in violation of the posted Tow-In Zone may be towed away by the Spencer Police Department. If the Spencer Police Department has a vehicle towed away, it shall be at the owner's expense and without cost or liability to the town.

(B) *Municipal Building parking lot.* Parking on the Municipal Building lot located at the northeast corner of West Street and Franklin Street is limited as follows:

(1) One hour parking from 6:00 a.m. to 6:00 p.m. Monday through Friday for the conduct of official business in the Municipal Building;

(2) To persons employed in the Municipal Building displaying a permit authorizing parking on the lot only; and

(3) To persons attending public meetings held in the Municipal Building for the duration of the public meetings.

(Prior Code, Ch. 17, Art. VII, § 2)

§ 75.097 LOADING ZONES.

(A) The streets described in Chapter 77, Parking Schedule IV, attached hereto and made a part hereof, are designated as loading zones.

(B) When appropriate signs conforming to the requirements of this Traffic Code are erected, no person shall stop, stand or park a vehicle for a longer period of time than is necessary for the expeditious loading or unloading of passengers, or for the loading, unloading, delivery or pickup of materials or merchandise, in any place designated and marked as a loading zone. In no case shall the stop for loading and unloading of materials exceed a total of 30 minutes.

(Prior Code, Ch. 17, Art. VII, § 3)

§ 75.098 BUS ZONES.

The streets described in Chapter 77, Parking Schedule V, attached hereto and made a part hereof, are designated as a bus zone. When appropriate signs conforming to the requirements of this Traffic Code are erected, no person shall stop, stand or park a vehicle other than a bus in a bus zone or a taxi in a taxi zone as so designated in the schedule.

(Prior Code, Ch. 17, Art. VII, § 4)

§ 75.099 NO TRUCK OR CAMPER PARKING ZONES.

(A) The streets described in Chapter 77, Parking Schedule VI, attached hereto and made a part hereof are designated no truck or camper parking zones.

(B) When appropriate signs conforming to the requirements of this Traffic Code are erected, no person shall park a truck or camper on the side of the street indicated by the schedule.

(Prior Code, Ch. 17, Art. VII, § 5)

§ 75.100 HANDICAP PARKING

No person shall cause, permit, encourage, aid, assist, allow or engage in the location of a parked motor vehicle within any area designated as a handicapped parking area, without the display of either (1) a valid accessible parking registration plate or (2) a valid accessible parking placard.

(Ord. 2009-18, passed 9-21-2009)

PARKING DURING SNOW EMERGENCIES

§ 75.115 DECLARATION OF SNOW EMERGENCY.

When snow reaches a depth of 4 inches or more, a “Snow Emergency” is automatically declared.

(Prior Code, Ch. 17, Art. VIII, § 1)

§ 75.116 PARKING MAY BE BANNED.

(A) When snow emergency conditions exist or are anticipated, each person should remove his or her parked vehicle from the street to facilitate snow removal operations.

(B) The Superintendent of Streets is authorized to ban parking on those streets where it is necessary to remove the snow to the curb to provide for drainage and for the safe movement of traffic.

(Prior Code, Ch. 17, Art. VIII, § 2)

§ 75.117 REMOVAL OF PARKED VEHICLES.

(A) The Town Marshal shall, when required by the Superintendent of Streets, cause the removal of parked or stalled vehicles which impede the effective removal of snow.

(B) If the owner of the vehicle fails to move it when so requested by an officer of the Police Department, the officer shall have the vehicle towed away at the owners expense and without any liability or cost to the town.

(Prior Code, Ch. 17, Art. VIII, § 3)

PARKING METERS

§ 75.130 PARKING METER ZONES.

The street and/or municipal parking lots described in Chapter 77, Parking Schedule VII, attached hereto and made a part hereof, are designated as parking meter zones. It shall be unlawful to park any vehicle in any unmarked or unmetered spaces, as provided for in §§ 75.131 and 75.132, within the parking meter zones as described in Chapter 77, Parking Schedule VII.

(Prior Code, Ch. 17, Art. IX, § 1) Penalty, see § 75.999

§ 75.131 DESIGNATION OF PARKING SPACES.

(A) The Town Marshal shall cause to be marked off individual parking spaces in the parking meter zones by lines painted or durably marked on the curbing or surface of the street.

(B) At each space so marked off it shall be unlawful to park any vehicle in such a way that the vehicle is not entirely within the limits of the space designated.

(Prior Code, Ch. 17, Art. IX, § 2) Penalty, see § 75.999

§ 75.132 INSTALLATION OF PARKING METERS.

The Town Marshal shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces not more than 2 feet from the curb nor more than 4 feet from the front line of the parking space as indicated, and the Town Marshal shall be responsible for the regulation, control, maintenance and use of the parking meters. Each device shall be so set as to display the signal showing legal parking upon the deposit of the appropriate coin or coins.

(Prior Code, Ch. 17, Art. IX, § 3)

§ 75.133 PERMITS FOR PARKING IN METERED SPACES.

(A) *Parking permits.*

(1) Persons may apply to the Town Marshal for a special permit to park a vehicle in individual parking spaces where a parking meter has been installed without depositing coins in any meter.

(2) The Town Marshal shall have the discretionary authority to grant a permit to persons at the rate of \$10 per month. The fee shall be deposited into the Parking Meter Fund of the town.

(3) The Town Marshal shall provide for the clear identification of vehicles covered by permits issued under division (A)(2) above.

(4) Parking permits which are valid at the time this chapter becomes effective shall continue to be valid until expiration.

(B) *Authorized parking permit areas.*

(1) All permits issued shall be valid for parking in a metered zone without depositing coins in the parking meter only in those metered parking spaces as specified by Chapter 77, Parking Schedule IX, attached hereto and made a part thereof.

(2) Parking permits are non-refundable.

(Prior Code, Ch. 17, Art. IX, § 6)

§ 75.134 USE OF FUNDS.

The coins deposited in parking meters shall be used to defray the expense of proper regulation of traffic upon the public streets of the town to provide for the cost of supervision, regulation and control of the parking of vehicles in parking meter zones; and to cover the cost of purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of parking meters, and to repair and maintain streets and any other lawful expense designated by the Town Council.

(Prior Code, Ch. 17, Art. IX, § 7)

§ 75.999 PENALTY.

(A) (1) Any person who violates the provisions of section §75.130 of this chapter and any person who aids, abets or assists therein shall, upon conviction thereof, be subject to a fine of not less than \$5 and not exceeding \$25, plus additional penalties to include reasonable attorney fees and court costs incurred by the town for collection of the account.

(2) Any person who violates the provisions of this chapter, with the exception of (1) above, and any person who aids, abets, or assists therein shall, upon conviction thereof, be subject to a fine of \$75.00, plus additional penalties to include reasonable attorney fees and court costs incurred by the town for collection of the account.

(B) (1) Any vehicle found on a public street, road or alley, the owner or operator of which has been cited for violation of this chapter, and which violation remains unadjudicated and outstanding for a period of 3 or more months, may be impounded by an officer of the Police Department and ordered towed away.

(2) When a vehicle is impounded and towed under division (B)(1) above, the owner of the vehicle shall be responsible and liable for all towing and storage costs or charges and the town shall have no liability for any cost or charge.

(3) A vehicle impounded under division (B)(1) above shall remain impounded and may not be released by the town unless and until all outstanding and unadjudicated violations of this chapter for which the vehicle has been cited are fully adjudicated and any fines assessed or owing are fully paid.

(4) When a motor vehicle is impounded and towed under this section, the Police Department shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number and license plate year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from location towed to, reason for towing and the name of the officer authorizing the tow.

(Prior code, Ch. 17, Art. XI) (Am. Ord. 2009-18, passed 9-21-2009)

CHAPTER 76: TRAFFIC SCHEDULES

Schedule

- I. State speed limits
- II. School speed zones
- III. Truck routes
- IV. Stop intersections
- V. Multiple stop intersections
- VI. Yield intersections
- VII. Signalized intersections
- VIII. One way streets and alleys
- IX. Restricted turn intersections
- X. Restricted turns on red at signalized intersections
- XI. Through on red limited

SCHEDULE I: STATE SPEED LIMITS.

(A) *State speed laws applicable.* The Indiana Motor Vehicle Laws regulating the speed of vehicles shall be applicable upon the streets within this town; except as this Traffic Code, as authorized by the Indiana Motor Vehicle Laws, hereby declares and determines upon the basis of an engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas. In this event, it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this schedule when signs are in place giving notice thereof.

(B) *Increasing or decreasing.* It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by the Indiana Motor Vehicle Laws upon the streets listed in Schedule I, attached hereto and made a part hereof, is greater or less, as specified in Schedule I that is necessary for the reasonable or safe operation of vehicles thereon and it is hereby declared that the maximum speed limit shall be as herein designated when signs are erected giving notice thereof.

(C) *School speed zones.* It is hereby determined that School Speed Zones shall be established as listed in Schedule II, attached hereto and made a part hereof. When appropriate signs are erected on the streets, conforming to the requirements of this Traffic Code, no person shall drive a vehicle at a speed greater than 20 mph, except that the time of the reduced speed limits are confined to periods when children are present.

(D) *Trains.* It shall be unlawful for the engineer or driver of a railroad train or for anyone in charge of any car or train of cars to run, or cause to run, over or across any of the public streets or alleys of the town at a speed in excess often 10 mph.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Posted Speed</i>
Fifth Avenue	United States 231	School Road	20 mph
Franklin Street	Montgomery Street	Harrison Street	20 mph
Harrison Street	Morgan Street	Jefferson Street	20 mph
Hillside Ave	Hwy 46 West	Fletcher Ave.	25 mph
Jefferson Street	Montgomery Street	Harrison Street	20 mph
Jefferson Street	Park	Taylor	20 mph

Lover's Lane	East	Fletcher	20 mph
Main Street	Morgan Street	Jefferson Street	20 mph
Market Street	Montgomery Street	Harrison Street	20 mph
Market Street	Park	Taylor	20 mph
Montgomery Street	Morgan Street	Jefferson Street	20 mph
Morgan Street	Fairview Avenue	E Corp. Line	40 mph
Park	Franklin Street	Jefferson Street	20 mph
S.R. 46 (West)	W Corp. Line	500 feet W of Hillside Ave	55 mph
S.R. 46 (West)	500 feet west of Hillside	Morgan Street	40 mph
S.R.67, United States 231	West Junction of S.R. 46	630 feet south of the Junction	30 mph
S.R.67, United States 231	West Junction of S.R. 46	Crest Hill Drive	40, 50 and 55 mph
Taylor	Market Street	Jefferson Street	20 mph
Washington Street	Morgan Street	Jefferson Street	20 mph
Circle Street	Rocky Hill Road	Circle Street Ends	5 mph

(Prior Code, Ch.16, Art. V) (Ch. 16, Attachment 1) (Am. Ord. passed 10-11-2003; Am. Ord. 2004-2, passed 5-3-2004; Am. Ord. 2007-3, passed 4-16-2007; Am. Ord. 2011-7, passed 6-6-2011) Penalty, see § 10.99

SCHEDULE II: SCHOOL SPEED ZONES.

<i>Street</i>	<i>From</i>	<i>To</i>
East Street	Garden Drive	North Street
Garden Drive	Park Avenue	East Street
Harrison Street	Hillside Avenue	North Street
Hillside Avenue	Main Street	Park Avenue
Washington Street	Morgan Street	Tanner Avenue

(Prior Code, Ch. 16, Attachment 2)

SCHEDULE III: TRUCK ROUTES.

(A) *Designated.* The streets described in Schedule III, attached hereto and made a part hereof, are designated as town truck routes when appropriate signs conforming to the requirements of this Traffic Code are erected on the streets.

(B) *Truck prohibitions.*

(1) No person shall drive or operate, or cause to be driven or operated, any truck upon the streets, bridges and culverts within the town, except on designated and marked town truck routes as hereinafter described.

(2) The restrictions as herein above set forth on trucks shall not be applicable to trucks delivering or picking up goods and property at places not located on designated and marked town truck routes, provided the trucks are only operated by the shortest way possible between the designated and marked town truck route and the place of delivery or pickup or as otherwise directed by a police officer. The restriction is not applicable to refuse or garbage trucks regularly operating within the town while in the process of picking up refuse and garbage from the residences and business places within the town, or to school buses while picking up or discharging school children on a regularly scheduled route within the town limits.

<i>Street</i>	<i>From</i>	<i>To</i>
All state highways	(Appropriate signs are not required to be posted)	
Main Street	Morgan Street	South Corp. Line
West Street	North Corp. Line	Morgan Street

(Prior Code, Ch. 16, Art. VII) (Ch. 16, Attachment 3) Penalty, see § 70.99

SCHEDULE IV: STOP INTERSECTIONS.

(A) *Designated.* The intersections described in Schedule IV hereto and made a part hereof are designated as stop intersections.

(B) *Vehicle operation at stop sign.* When stop signs are erected at the entrance to the intersections, the operator of a vehicle approaching any of the streets where a stop sign has been erected shall bring the vehicle to a full and complete stop before entering the intersection, except when directed by a police officer to do otherwise.

<i>Traffic On</i>	<i>Shall Stop For Traffic On</i>
Amanda Lane	Thornridge Way
Beem Street	Hillside Avenue
Beem Street	Morgan Street
Central Avenue	Morgan Street
Central Avenue	Hillside Avenue
Clay Street	East Street
Clay Street	Washington Street
Clay Street	West Street
Clay Street	Montgomery Street
Clay Street	Main Street
Cooper Street	Washington Street
Cooper Street	East Street
Cooper Street	Main Street
Crane Avenue	Indiana Avenue

<i>Traffic On</i>	<i>Shall Stop For Traffic On</i>
Crane Avenue	Morgan Street
Delaware Street	New Jersey Street
East Street	Franklin Street
East Street	Morgan Street
Fairview Avenue	Indiana Avenue
Fairview Avenue	Morgan Street
Fifth Avenue	U.S. 231-S.R.67
Fletcher Avenue	Franklin Street
Fletcher Avenue	Morgan Street
Franklin Street	Washington Street
Franklin Street	U. S. 231 S. R. 67
Franklin Street	Main Street
Garden Drive	Fletcher Avenue
Garden Drive	East Street
Garden Park	Fletcher Avenue
Harrison Street	Morgan Street
Harrison Street	Franklin Street
Harrison Street	Cooper Street
Harrison Street	Hillside Avenue
Hart Avenue	Maple Drive

<i>Traffic On</i>	<i>Shall Stop For Traffic On</i>
High Street	Franklin Street
High Street	Market Street
Hillside Avenue	Fletcher Avenue
Hillside Avenue (Westbound)	S.R. 46
Indiana Avenue	Wolf Street
Indiana Avenue	Fletcher Avenue
Indiana Avenue	West Street
Indiana Avenue	Vandalia Avenue
James Street	Fletcher Avenue
James Street	Laymon Avenue
Jefferson Street	Main Street
Jefferson Street	Washington Street
Laymon Avenue	Garden Drive
Lee Drive	Hillside Avenue
Lincoln Street	Hillside Avenue
Lovers Lane	Fletcher Avenue
Lovers Lane	East Street
Market Street	Harrison Street
Market Street	Main Street
Market Street	East Street

<i>Traffic On</i>	<i>Shall Stop For Traffic On</i>
Market Street	Washington Street
Market Street	Park Avenue
Meadow Drive	Hillside Avenue
Michigan Street	Fifth Avenue
Middle Street	Morgan Street
Middle Street	Hillside Avenue
Montgomery Street	Franklin Street
Montgomery Street	Wayne Street
Montgomery Street	Market Street
Montgomery Street	Morgan Street
Montgomery Street	Cooper Street
Montgomery Street	Hillside Avenue
New Jersey Street	Fifth Avenue
North Street	Wolf Street
North Street	Harrison Street
North Street	Fletcher Avenue
North Street	Washington Street
North Street	West Street
North Street	Beem Street
North Street	East Street

<i>Traffic On</i>	<i>Shall Stop For Traffic On</i>
North Street	Main Street
North Street	Middle Street
North Street	Montgomery Street
North Street	Park Avenue
North Street	Central Avenue
North Street	Fairview
Park Avenue	Garden Drive
Park Avenue	Morgan Street
Park Avenue	Franklin Street
Park Avenue	Lovers Lane
Rescinded	Rescinded
Short Street	Morgan Street
Short Street	Jefferson Street
Short Street	North Street
Short Street	Market Street
Short Street	Walnut Street
Short Street	Franklin Street
South Washington Street	Cooper Street
Spence Street	Franklin Street
Spence Street	Morgan Street

<i>Traffic On</i>	<i>Shall Stop For Traffic On</i>
Sycamore Street	Jefferson Street
Sycamore Street	Market Street
Sycamore Street	Franklin Street
Tanner Avenue	Washington Street
Vandalia Avenue	Morgan Street
Vandalia Avenue	Hillside Avenue
Walnut Street	High Street
Walnut Street	Sycamore Street
Washington Street	Morgan Street
Wayne Street	Main Street
West Street	Wayne Street
West Street	Morgan Street
West Street	Jefferson Street
West Street	Market Street
Wisconsin Street	Delaware Street
Wolf Street	Franklin Street
Wolf Street	Hillside Avenue
Wolf Street	Morgan Street

(Prior Code, Ch. 16, Art. VIII) (Ch. 16, Attachment 4) (Am. Ord. 2009-1, passed 1-5-2009 Am. Ord. 2009-19, passed 9-21-2009, Am Ord 2016-12, passed 10-24-2016; Am. Ord. 2017-10, passed 10-2-2017; Am. Ord. 2021-08, passed 9-7-2021)

SCHEDULE V: MULTIPLE STOP INTERSECTIONS.

(A) *Designated.* The intersections described in Schedule V, attached hereto and made a part hereof, are designated as multi-stop intersections and which may be a 4-way stop, a 3-way stop or an all-way stop.

(B) *Vehicle operation at multi-stop intersections.* When appropriate signs conforming to the requirements of this Traffic Code are erected at the entrance to the intersections, the operator of a vehicle entering any of the streets shall bring the vehicle to a full and complete stop before entering the intersection, except when directed by a police officer to do otherwise.

(C) *Indiana Street.* Traffic that is east or west bound on Indiana Street must stop at the designated stop sign at the intersection of Wolf Street.

<i>Streets</i>	<i>Kind</i>
East Street and Jefferson Street	4-way
Franklin Street and West Street	4-way
Harrison Street and Jefferson Street	4-way
Hillside Avenue and Beem Street	3-way
Hillside Avenue and East Street	4-way
Hillside Avenue and Washington Street	4-way
Hillside Avenue and West Street	4-way
Jefferson Street and Montgomery Street	4-way
Main Street and Cooper Street	4-way
Main Street and Jefferson Street	4-way
Main Street and Franklin Street	4-way
Main Street and Market Street	4-way
Market Street and Montgomery Street	4-way
Montgomery Street and Wayne Street	4-way
Washington Street and Franklin Street	3-way
Washington Street and Market Street	4-way
Washington Street and Wayne Street	4-way

(Prior Code, Ch. 16, Art. IX) (Ch. 16, Attachment 5) (Ord. 1996-2, passed 4-1-1996; Am. Ord. 2000-1, passed 3-6-2000; Am. Ord. 2012-01, passed 5-7-2012, 2019-01, pass 1-7-2019, Am. Ord 2019-17, passed 8-19-2019)

SCHEDULE VI: YIELD INTERSECTIONS.

(A) *Designated.* The intersections described in Schedule VI hereto and made a part thereof are designated as yield intersections.

(B) *Vehicle operation at yield sign.* The driver of a vehicle approaching a yield sign shall, in obedience to the sign, slow down to stop if necessary and shall yield the right-of-way to any pedestrian legally crossing the street on which he or she is driving and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. The driver having so yielded may then proceed into the intersection; provided, however, that if the driver is involved in a collision with a pedestrian in a cross-walk or a vehicle in the intersection after driving past a yield sign, the collision shall be deemed to be prima facie evidence of his or her failure to yield the right-of-way.

<i>Traffic On</i>	<i>Shall Yield To Traffic On</i>
Central Avenue	Franklin Street
Fairview Avenue	Franklin Street
Fletcher Avenue	Franklin Street
Garden Park	Circle
Indiana Avenue	Middle Street
Indiana Avenue	Lincoln Street
Indiana Avenue	Wolf Street
Indiana Avenue	Beem Street
Main Street	Hillside Avenue
Park Avenue	Hillside Avenue
Park Avenue	Circle
Park Avenue	Jefferson Street

<i>Traffic On</i>	<i>Shall Yield To Traffic On</i>
Vandalia Avenue	Franklin Street
Vandalia Avenue (Southbound)	Lincoln Street
Washington Street (Southbound)	Main Street

(Prior Code, Ch. 16, Art. X) (Ch. 16, Attachment 6) (Am. Ord. 2009-1, passed 1-5-2009) (Am. Ord. 2009-19, passed 9-21-2009; Am. Ord. 2016-12, passed 10-24-2016; Am. Ord. 2016-10, passed 10-2-2017)

SCHEDULE VII: SIGNALIZED INTERSECTIONS.

The intersections described in Schedule VII, attached hereto and made a part hereof, are designated as signalized intersections. When appropriate traffic control signals are installed at each intersection, the operator of a vehicle entering the intersections shall obey the signal displayed as the driver approaches the intersection, except when directed by a police officer to do otherwise.

<i>Street</i>	<i>Street</i>
Main Street	Morgan Street
Morgan Street	S.R 46 at west end of Spencer

(Prior Code, Ch. 16, Art. XI) (Ch. 16, Attachment 7)

SCHEDULE VIII: ONE WAY STREETS AND ALLEYS

Upon those streets and parts of streets and in those alleys described in Schedule VIII, attached hereto and made a part hereof, 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.

<i>Street or Alley</i>	<i>From</i>	<i>To</i>	<i>Direction of Travel</i>
Alley that lies between West and Montgomery Streets and is parallel to West and Montgomery	West Street	Jefferson Street	Southbound
East-west alley between West Morgan and Franklin	Intersection of the alley east	Fletcher	Eastbound
First alley north of Morgan Street	Short Street	Wolf Street	Eastbound
First alley south of Market Street	Washington Street	Main Street	Westbound
First alley south of Morgan Street	Washington Street	Harrison Street	Eastbound
Franklin Street	Washington Street	Main Street	Westbound
Garden Park	Park Avenue Circle		Counter Clockwise

(Prior Code, Ch. 16, Art. XII) (Ch. 16, Attachment 8) (Ord. 1994-1, passed 5-2-1994; Am. Ord. 1996-10, passed 7-15-1996; Am. Ord. 2016-12, passed 10-24-2016))

SCHEDULE IX: RESTRICTED TURN INTERSECTIONS.

(A) *Restricted turn intersections.* The intersections described in Schedule IX, attached hereto and made a part hereof, shall have certain turning movements restricted. When appropriate signs conforming to the requirements of this Traffic Code are erected that no right or left or U turn is permitted, no driver of a vehicle shall disobey the direction of any sign.

(B) *Turning at intersections.* The driver of a vehicle intending to turn at an intersection shall do so as follows:

(1) Both the approach for a right turn and the right turn shall be made as close as practical to the right hand curb or edge of the roadway.

(2) Approach for a left turn shall be made in that portion of the right hand of the roadway nearest the centerline thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(3) When 2 vehicles meet at an intersection, both intending to make a left turn, the vehicles shall turn in front of each other instead of behind each other.

(4) Approach for a left turn from a 2-way street into a 1-way street shall be made in that portion of the right half of the roadway except while crossing a street on a crosswalk and when so crossing the person shall be granted all 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.

(C) *U-turns limited.* The driver of any vehicle shall not turn his or her vehicle so as to proceed in the opposite direction upon any street in a vehicle unless the movement can be made in safety and without interfering with other traffic.

<i>Intersection</i>	<i>Restricted Turn</i>	<i>From</i>	<i>To</i>	<i>Time</i>
Franklin and Main Street	Left	Southbound	Eastbound	Any time

(Prior Code, Ch. 16, Art. XIII) (Ch. 16, Attachment 9)

SCHEDULE X: RESTRICTED TURNS ON RED AT SIGNALIZED INTERSECTIONS.

The intersections described in Schedule X, attached hereto and made a part hereof, shall restrict turns on red at signalized intersections. When appropriate signs conforming to the requirements of this Traffic Code are erected that no turn on red may be made at signalized intersections, no driver of a vehicle shall disobey the sign.

<i>Intersection</i>	<i>From</i>	<i>To</i>
Main Street and Morgan Street	Southbound Main Street	Westbound Morgan Street

(Prior Code, Ch. 16, Art. XIII) (Ch. 16, Attachment 10)

SCHEDULE XI: THROUGH ON RED LIMITED.

Vehicular traffic, approaching a signalized intersection whereat traffic from different directions is alternately directed to stop and proceed, and whereat the intersecting highway serves traffic only to and from the left, is prohibited from proceeding at a red signal at the intersections as stated in Schedule XI, attached hereto and made a part hereof.

<i>Intersection</i>	<i>Junction</i>	<i>Traffic</i>
U.S. 231, S.R. West	West	Eastbound

(Prior Code, Ch. 16, Art. XIII) (Attachment 11)

CHAPTER 77: PARKING SCHEDULE

Schedule

- I. Angle parking
- II. No parking zones
- III. Limited parking zones
- IV. Loading zones
- V. Bus zones
- VI. No truck or camper parking
- VII. Parking meter zones
- VIII. Parking meter operating periods
- IX. Authorized parking areas for parking permits

SCHEDULE I: ANGLE PARKING.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>
Main Street	Morgan Street	Jefferson Street	East
Main Street	Morgan Street	Jefferson Street	West
Market Street	Montgomery Street	Washington Street	North
Market Street	Montgomery Street	Washington Street	South
Washington Street	Market Street	Franklin Street	East
Washington Street	Market Street	Franklin Street	West

(Prior Code, Ch. 17, Art. VI) (Attachment 1)

SCHEDULE II: NO PARKING ZONES.

(A) *Tree plot.* An area defined as the tree plot running approximately 450 feet on the north side of Jefferson Street adjacent to Riverside Cemetery is hereby declared a no parking zone.

(Ord. 2006-1, passed 5-1-2006)

(B) *No parking.* It is prohibited to park on South East Street from Franklin Street to Jefferson Street, and further resolves that the area will be appropriately marked with signs designating this side of the street as a “No Parking” zone.

(Ord. 2001-01, passed 4-2-2001)

(C) *Table.*

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>	<i>Time of Restrict</i>
Crane Street	Franklin Street	State Hwy 46	East and West	Any time
Crane Street	State Hwy 46	Indiana Avenue	East and West	Any time
East Street	300 feet south of Cooper Street	Franklin Street	East	Any time
East Street	Lovers Lane	150 feet south of Garden Park	East	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:00 p.m. on school days
East Street	150 feet north of Lovers lane	Garden Park	East	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:00 p.m. on school days
Franklin Street	Main Street	Montgomery Street	North	Any time
Garden Drive	Garden Park	N. Park Avenue	West and North	Any time

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>	<i>Time of Restrict</i>
Harrison Street	Market Street	Franklin Street	East	Any time
Harrison Street	Morgan Street	200 feet south of	West	Any time
High Street	Market Street	Franklin Street	East	Any time
Hillside Avenue	East Street	Washington Street	North	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:00 p.m. on school days
Hillside Avenue	N East Street	N Park Avenue	North	Any time
Hillside Avenue	North Harrison Street	58' West of North Harrison Street	South	Any time
Hillside Avenue	N Harrison Street	N Washington Street	North	Any time
Hillside Avenue	N Park Avenue	N Fletcher Avenue	North	Any time
Jefferson Street	Montgomery	30 feet east of Montgomery Street	South	Any time
Main Street	Morgan Street	Hillside Avenue	West	Any time

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>	<i>Time of Restrict</i>
Main Street	155 Feet South of West Clay Street	W Cooper Street	West	Any time
Market Street	Height Street	West Street	North	Any time
Montgomery Street	Market Street	Morgan Street	West	Any time
Morgan Street	Fairview Avenue	Short Street	North	Any time
Morgan Street	Fairview Avenue	Short Street	South	Any time
North Street	Main Street	Fletcher Avenue	North	Any time
Washington Street	Hillside Avenue	100 feet north of Tanner Avenue	East	8:00 a.m. to 4:00 p.m. on school days
Washington Street	100 feet north of Tanner Avenue	850 feet north of Tanner Avenue	East	Any time
West Street	Cooper Street	Hillside Avenue	West	Any time
Wolf Street	Morgan Street	North Street	West	Any time

(Prior Code, Ch. 17, Art. VII) (Attachment 2) (Am. Ord. 2008-3, passed 10/20/2008, Am. Ord. 2017-12, passed 10-2-2017; Am. Ord. 2016-12, passed 10-24-2016; Am. Ord. 2018-12, passed 8-6-2018; Am. Ord. 2021-06, passed 4-5-2021)

SCHEDULE III: LIMITED PARKING ZONES.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>To Side of Street</i>	<i>Limit</i>	<i>Meter</i>
Franklin Street	First alley east of Washington Street	Main Street	North	2 hours*	Yes
Market Street	Montgomery Street	Washington Street	North	2 hours*	Yes
Market Street	Montgomery Street	Second parking space east of Washington Street	South	2 hours*	Yes
Montgomery Street	Market Street	Franklin Street	East	2 hours*	Yes
Main Street	Jefferson Street	Morgan Street	West	2 hours*	Yes
Main Street	Jefferson Street	Morgan Street	East	2 hours*	Yes
Main Street	Second meter south of Morgan Street	Franklin	West	2 hours*	Yes
Main Street	Morgan Street	Third meter south	East	2 hours*	Yes
Main Street	Market	First alley south	East	8 hours*	Yes
Washington Street	1/2 block south of Market Street	1/2 block north of Market Street	East	2 hours*	Yes
Washington Street	6th-7th-8th-9th	Meters south of Franklin Street	East	15 minutes*	Yes

Washington Street	Fifth parking meter south of Franklin Street	Morgan Street	East	2 hours*	Yes
Washington Street	Market Street	Morgan Street	West	2 hours*	Yes
Washington Street	Market	First alley south	East	8 hours*	Yes

* 8:00 a.m. to 6:00 p.m. daily - except Sundays and holidays.

(Prior Code, Ch. 17, Art. VII) (Attachment 3) (Am. Ord. 1997-15, passed 12-1-1997)

SCHEDULE IV: LOADING ZONES.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>
Franklin Street	First parking space	East of Main Street	North
Market Street	First parking space	East of Main Street	South
Main Street	Parking areas in front of 165 S Main Street		East

(Prior Code, Ch. 17, Art. VII) (Attachment 4) (Am. 6-18-2012)

SCHEDULE V: BUS ZONES.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>	<i>Type</i>
Hillside Avenue	North Harrison Street	N Washington Street	North	Bus Parking Only

(Prior Code, Ch. 17, Art. VII) (Attachment 5) (Am. Ord. 2018-12, passed 8-6-2018)

SCHEDULE VI: NO TRUCK OR CAMPER PARKING.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>
Jefferson Street	Washington Street	Harrison Street	South
Main Street	1/2 block south of Market Street	Morgan Street	West
Main Street	1/2 block south of Market Street	Franklin Street	East
Main Street	Morgan Street	1/2 block north of Morgan Street	East
Market Street	Main Street	Washington Street	North
Washington Street	Market Street	Franklin Street	West
Washington Street	Market Street	Franklin Street	East

(Prior Code, Ch. 17, Art. VII) (Attachment 6)

SCHEDULE VII: PARKING METER ZONES.

(A) *Fifteen minute parking.*

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>
Washington Street	6th-7th-8th-9th meters	South of Franklin Street	East

(B) *Eight hour parking.*

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side of Street</i>
Franklin Street	First alley east of Washington Street	Main Street	North
Main Street	Jefferson Street	Morgan Street	West
Main Street	Jefferson Street	Morgan Street	East
Main Street	Second meter south of Morgan	Franklin	West
Main Street	Morgan Street	Third meter south	East
Market Street	Montgomery Street	Washington Street	North
Market Street	Montgomery Street	Second parking space east of Washington Street	South
Montgomery Street	Market Street	Franklin Street	East
Washington	Morgan	Franklin	East

Washington Street	1/2 block south of Market Street	1/2 block north of Market Street	East
Washington Street	Fifth parking meter south of Franklin Street	Morgan Street	East
Washington Street	Market Street	Morgan Street	West

* 8:00 a.m. to 6:00 p.m. daily - except Sundays and holidays per Schedule VIII.

(Prior Code, Ch. 17, Art. IX) (Attachment 7) (Am. Ord. 1997-15, passed 12-1-1997)

SCHEDULE VIII: PARKING METER OPERATING PERIODS.

(A) Parking meters shall be operative during the period from 8:00 a.m. to 3:00 p.m., local time, each day of the week except as follows.

- (1) Meters will not be operative during scheduled holidays of the Town of Spencer; and
- (2) On the other days as may be specified by the Town Council.

(Prior Code, Ch. 17, Art. IX) (Attachment 8)

SCHEDULE IX: AUTHORIZED PARKING AREAS FOR PARKING PERMITS.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side Of Street</i>
Main Street	Railroad	Market Street	East
Main Street	Market Street	First alley	East
Market Street	Main Street	Montgomery	North
Market Street	Washington Street	Main Street	North
Montgomery	Market Street	First alley	East
Washington Street	Railroad	Market Street	West

(Prior Code, Ch. 17, Art. IX) (Attachment 9)

CHAPTER 78: GOLF CARTS AND UTILITY TASK VEHICLES (UTV)

Section:

- 78.01 Purpose
- 78.02 Definitions
- 78.03 Unlawful Operation
- 78.04 Requirement of Driver's License
- 78.05 Requirement for Financial Responsibility
- 78.06 Requirement for Slow Moving Vehicle Sign
- 78.07 Registration
- 78.08 Inspection
- 78.09 Operation
- 78.99 Penalty

§ 78.01 PURPOSE

The purpose of this subchapter is to provide for the regulations, use of, and registration of golf carts and utility task vehicles (UTV) with the corporate limits of the Town of Spencer.

(Ord. 2022-01, passed 1-18-2022)

§78.02 DEFINITIONS

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

FINANCIAL RESPONSIBILITY. Shall have the meaning given in I.C. 9-25-4-1, *et seq.* as it now reads, or is subsequently amended.

FLASHING LAMPS. Shall have the meaning given in I.C. 9-21-9-4 as it now reads or is subsequently amended.

GOLF CART. A four wheeled motor vehicle originally and specifically intended to transport one or more individuals and golf clubs for the purpose of playing golf.

OPERATE. To exercise any control over the function or movement of a golf cart or UTV

PUBLIC STREET. All property dedicated or intended for public highway, freeway, or roadway purposes or subject to public easements, therefore.

REGISTRATION CERTIFICATE. The certificate issued by the Town of Spencer Clerk-Treasurer signifying all initial requirements of vehicle registration have been satisfied.

TOWN STREET. The entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel with the corporate boundaries of the Town of Spencer.

SLOW MOVING VEHICLE SIGN. Shall have the meaning given in 205 I.A.C. 1-1 *et seq.* as it now reads or is subsequently amended.

UTILITY TASK VEHICLE (UTV). A small, four-wheel drive vehicle with a steering wheel sometimes referred to as a side-by-side. This shall not include vehicles referred to as all-terrain vehicle such as four-wheelers or quads, 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 the performance of the vehicles common function, a snowmobile, or a registered aircraft.

(I.C. 9-21-8 *et seq.*, 9-21-1 *et seq.*)(Ord. 2022-01, passed 1-18-2022)

§78.03 UNLAWFUL OPERATION

It shall be unlawful to operate a golf cart or utility task vehicle on any town street except as specifically authorized by this chapter. Any violation thereof is subject to the penalties set forth in §78.99.

(I.C. 9-21-8 *et seq.*, 9-21-1 *et seq.*)(Ord. 2022-01, passed 1-18-2022)

§78.04 REQUIREMENT OF DRIVER'S LICENSE

The operator of a golf cart or utility task vehicle on any town street must have a valid driver's license issued by the State of Indiana.

(I.C. 9-21-8 *et seq.*, 9-21-1 *et seq.*)(Ord. 2022-01, passed 1-18-2022)

§78.05 REQUIREMENT FOR FINANCIAL RESPONSIBILITY

No person may operate a golf cart or utility task vehicle on any town street unless financial responsibility is in effect with respect to the golf cart or utility task vehicle as required by I.C. 9-25-4-4, as amended.

(I.C. 9-21-8 *et seq.*, 9-21-1 *et seq.*)(Ord. 2022-01, passed 1-18-2022)

§78.06 REQUIREMENT FOR SLOW MOVING VEHICLE SIGN

No golf cart or utility task vehicle shall be operated on any town street unless a slow-moving vehicle reflective sign as required by 205 I.A.C. 1-1 et seq. as it now reads or is subsequently amended, is properly displayed in the golf cart or utility task vehicle
(I.C. 9-21-8 et seq., 9-21-1 et seq.)(Ord. 2022-01, passed 1-18-2022)

§78.07 REGISTRATION

(A) *Local Registration required.*

(1) Any golf cart or utility task vehicle operated on a town street must be registered with the Town of Spencer annually on forms provided by the Town of Spencer.

(2) Registration certificates will be valid from the date of issue until December 31 of the year of issue.

(3) Registration certificates must be affixed to the vehicle in the upper left corner of the vehicles front frame.

(B) *Registration Fee.* Each registrant shall pay an annual registration fee of Fifty Dollars (\$50.00) per vehicle registered. All such fees collected shall be deposited into the town's Law Enforcement Continuing Education Fund.

§78.08 INSPECTION

Prior to the issuance of a registration certificate, the golf cart or utility task vehicle shall be inspected by the Town Marshal or a Deputy Marshal, to ensure that the golf cart complies with all the requirements of this chapter.

(I.C. 9-21-8 et seq., 9-21-1 et seq.)(Ord. 2022-01, passed 1-18-2022)

§78.09 OPERATION

(A) All golf carts or utility task vehicles operating on the town streets within the corporate boundaries of the Town of Spencer shall be operated pursuant to the terms of this chapter, shall obey all rules of the road and traffic regulations of the State of Indiana and the Town of Spencer.

(B) All golf carts or utility task vehicles must bear the registration certificate supplied by the Town, a slow-moving emblem as defined herein, and a rear-view mirror.

(C) The number of occupants per vehicle is limited to the number of persons for whom factory seating is installed on the golf cart or utility task vehicle.

(D) No passengers shall be allowed to ride on the lap of the operator or another passenger.

(E) No part of the body shall extend outside the perimeter of the vehicle while in operation, except for that the operator may use the proper traffic hand signals when required.

(F) Any occupant who is under the age of 14 and seated in any rear seat shall wear a properly installed seat belt. Infants/Toddlers requiring car seats or booster seats are strictly prohibited from riding in a golf cart or utility task vehicle upon Town streets.

(G) No golf cart or utility task vehicle shall be used to tow any type of trailer or other vehicle.

(H) No golf cart or utility task vehicle shall be operated on any Town street from dusk until dawn unless the vehicle is equipped with a minimum of two (2) headlamps, two (2) taillamps, front and rear flashing lamps, and all must be visible from a distance of at least five hundred (500) feet. Off-road lighting, such as, but not limited to, lightbars or LED lighting, are not prohibited.

(I) No golf cart or utility task vehicle shall be operated upon any sidewalk, public trail, or any other area that is not specifically designated for vehicular travel.

(J) An operator of a golf cart or utility task vehicle that needs to cross a highway in the state highway system must do so at intersections perpendicular to the state highway.

(I.C. 9-21-8 *et seq.*, 9-21-1 *et seq.*)(Ord. 2022-01, passed 1-18-2022)

§78.99 PENALTY

(A) *Revocation of Registration Certificate.* Any unsafe operation, multiple violations, failure to maintain financial responsibility, or failure to pay fines in accordance with this Chapter, may result in the revocation of any golf cart or utility task vehicle registration certificate for a period of at least one (1) year.

(B) *Penalties.* A failure to comply with the provisions of this chapter may result in fines as follows:

First Offense	\$50.00
Second offense	\$100.00

Third and each additional offense \$250.00

(C) *Collection.* The Town may initiate a civil action in a court of competent jurisdiction to restrain any person from violating a provision of this Ordinance. Any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided for in this code, plus the cost of filing and reasonable attorney fees. The assessment of a monetary penalty shall in no way limit the operation of the penalties provided elsewhere in this building ordinance.

(I.C. 9-21-8 *et seq.*, 9-21-1 *et seq.*)(Ord. 2022-01, passed 1-18-2022)