

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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- 70.99 Penalty

Statutory reference:

Local authorities to adopt local police regulations regarding traffic, see I.C. 9-13-2-94

' 70.01 DEFINITIONS.

(A) Words and phrases not specifically defined in this chapter shall be governed by the definitions set forth in the Uniform Act regulating traffic on highways, I.C. 9-13-2-1 et seq.

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

ALLEY. A narrow passageway or way in the town, which serves rear entrances to property.

CROSSWALK.

(a) The portion of a roadway ordinarily included in the prolongation or connection of the lateral lines of the sidewalks at intersections.

(b) Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the roadway surface.

DRIVEWAY. A public or private passageway that opens onto a street or highway.

INTERSECTION. The area embraced within the prolongation or connection of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two highways or streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

MOTOR VEHICLES. Every vehicle which is self-propelled.

OFFICIAL TRAFFIC-CONTROL DEVICES. All signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of the Town Council for the purposes of regulating, warning or guiding motor vehicles.

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

ROADWAY. The portion of a street improved, designed or ordinarily used for motor vehicle travel.

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

STANDING. Any stopping of a vehicle, whether occupied or not.

STOP. The complete cessation of movement.

STREET or HIGHWAY. The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purpose of motor vehicle traffic.

(1989 Code, ' 8-1) (Ord. 50A, passed 8-12-1968)

' 70.02 STOP SIGNS.

When stop signs are erected by the Town Council upon a street or highway intersecting another street or highway, then the street or highway so intersected shall be deemed a preferential street for the purpose of this section and the operator of any motor vehicle shall bring his or her motor vehicle to a complete stop before entering the intersection and shall not proceed into the intersection until there is no traffic approaching the intersection on the preferential highway which is so close as to constitute an immediate hazard.

(1989 Code, ' 8-2) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

Statutory reference:

Stop and yield signs, intersections and through streets, see I.C. 9-21-4-11

' 70.03 YIELD - RIGHT-OF-WAY SIGNS.

When yield - right-of-way signs are erected by the Town Council upon a street or highway intersecting another street or highway, then the street or highway so intersected shall be deemed a preferential street for the purpose of this section, and the operator of any motor vehicle approaching a yield - right-of-way sign shall slow to a reasonable speed for existing conditions of traffic and visibility, and shall yield the right-of-way to all motor vehicles on the preferential street or highway which is so close as to constitute an immediate hazard. Such motor vehicle operator shall keep his or her vehicle under control to the extent that he or she is prepared to yield or to give the right-of-way to motor vehicles approaching either from the right or left on the preferential street or highway, and he or she shall be prepared to come to stop, if necessary, in order to yield the right-of-way.
(1989 Code, ' 8-3) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

' 70.04 STANDING AND PARKING REGULATIONS.

No motor vehicle shall be left standing or parked upon any street, highway, alley, roadway or other public place within the limits of the town where the Town Council has caused to be erected a sign so prohibiting it or to leave standing or parked any motor vehicle upon any street, highway, alley, roadway or other public place within the limits of the town for a period longer than so designated on any official traffic-control device or sign erected by order of the Town Council.
(1989 Code, ' 8-4) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

' 70.05 SIX-HOUR PARKING LIMITATIONS.

No motor vehicle other than a pleasure or passenger car or motorcycle or motor bike shall be left standing or parked on any street, highway, alley, roadway or other public place within the town for a period exceeding six hours, except when such vehicles are in the act of loading or unloading. Such prohibited motor vehicles include, but are not limited to, trucks, tractors, trailers, semi-trailers, buses and housetrailer and camping trailers.
(1989 Code, ' 8-5) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

' 70.06 SPECIFIC PARKING, STOPPING AND STANDING REGULATIONS.

Except in compliance with direction of a legal officer or traffic-control device, no motor vehicle shall be left parked, stopped or standing in any of the following locations:

(A) Within an intersection;

(B) At all intersections other than those on U.S. Highway No. 31 at any point within 20 feet of a crosswalk, or if there is no crosswalk, at any point within 20 feet of the intersection;

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(C) At all intersections involving U.S. Highway No. 31 as follows:

(1) On the east side of U.S. Highway No. 31 at any point within 50 feet to the south of the intersection; and

(2) At all intersections on the west of U.S. Highway 31 at any point within 50 feet to the north of a crosswalk, or if there is no crosswalk, at any point within 50 feet to the north of the intersection.

(D) Within 20 feet of the fire hydrant;

(E) On any crosswalk not located at or near at intersection;

(F) In front of or within 20 feet of the intersection of a public or private driveway with a street or highway;

(G) On the street or roadway side of any vehicle stopped or parked along the edge or a side of a roadway or street; and

(H) At any place where official signs or traffic-control devices prohibit parking, standing or stopping.

(1989 Code, ' 8-6) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

Statutory reference:

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

' 70.07 WASHING, GREASING, REPAIRING OR FOR SALE SIGNS ON STREETS PROHIBITED.

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

(1989 Code, ' 8-7) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

' 70.08 ADVERTISING PROHIBITED.

No person shall park or operate a motor vehicle on any street for the primary purpose of advertising.
(1989 Code, ' 8-8) Penalty, see ' 70.99

' 70.09 VIOLATIONS.

No person shall allow, permit or suffer any vehicle registered in his or her name to stand or park in any street or roadway within the town in violation of this chapter.
(1989 Code, ' 8-9) (Ord. 50A, passed 8-12-1968) Penalty, see ' 70.99

' 70.10 TOWING OF VEHICLE.

Any member of the Town Council, the Town Clerk-Treasurer, the Town Marshal or the County Sheriff is authorized to order the towing away of any motor vehicle which is parked, standing or stopped in violation of any of the provisions of this chapter.
(1989 Code, ' 8-10) (Ord. 50A, passed 8-12-1968)

' 70.99 PENALTY.

Any person, firm, corporation or association of persons failing to comply with any of the provisions of this chapter shall be deemed guilty of an ordinance violation and shall be punished by a fine in a sum not less than \$1 nor more than \$300, and each day that a violation is permitted to continue shall constitute a separate offense.
(1989 Code, ' 8-11) (Ord. 50A, passed 8-12-1968)

CHAPTER 71: TRAFFIC VIOLATION ENFORCEMENT

Section

- 71.01 Penalty schedule
- 71.02 Enforcement
- 71.03 Non-exclusive jurisdiction

' 71.01 PENALTY SCHEDULE.

Penalties assessed for violations shall be based upon the following schedule.

<i>Violation</i>	<i>Penalty</i>
Improper parking	\$5
After 72 hours	\$15
Moving traffic violations - according to the following schedule	
Improper passing	\$25
Speeding - not in excess of 15 mph over the speed limit	\$25
Speeding in excess of 15 mph over the limit but not more than 25 mph over the limit	\$30
Speeding in excess of 25 mph over the speed limit	\$40
All other moving violations	\$5

(1989 Code, ' 8-20) (Ord. 57, passed 3-11-1971; Ord. 108, passed 4-8-1982)

' 71.02 ENFORCEMENT.

(A) *Notice of violation.*

(1) Whenever the Town Marshal or Deputy Marshals shall find the owner or operator of any vehicle or other person has committed any action which is declared unlawful by the provisions of the state traffic statutes or town ordinances, such Marshal or Deputy Marshal shall give written notice to such person of such violation.

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(2) All such notices shall be serially numbered and shall contain the following information:

- (a) The specific violation with which the violator is charged;
- (b) The license plate number and type of vehicle;
- (c) The name and address of the owner of the vehicle and the operator of the vehicle, if possible to obtain the same;
- (d) The location of the violation;
- (e) The signature of the Marshal or Deputy Marshal;
- (f) The date of the violation; and
- (g) The amount of the penalty prescribed by the town code for the violation.

(3) The notice shall also contain the following statement:

Within 72 hours from the time of violation as shown on the notice of violation, bring this notice to the Town Clerk-Treasurer or Town Police Department, 200 Independence Drive or mail fine to such address within 72 hours from time of violation, or result in extra costs and such other procedures which are consistent with state law.

(4) All such written notices shall be executed by the Town Marshal or Deputy Marshal in triplicate. One copy shall be served upon the violator as herein provided, one copy shall be filed by the officer with the Clerk-Treasurer, and one copy shall be filed in the office of the Town Marshal. The latter two copies shall be filed in the respective offices by the Town Marshal or Deputy Marshal at his or her earliest convenience before or when he or she goes off duty of the particular day on which such notice was served on the violator.

(B) *Payment of fines.*

(1) Any person receiving written notice of a traffic violation pursuant to the provisions of this chapter shall, within 72 hours from the date of the violation, appear at the Town Clerk-Treasurer's office and pay the prescribed penalty by depositing such amount along with the notice of violation with the officer on duty or the Clerk-Treasurer; or within such time mail such fine with the written notice to the Clerk-Treasurer's office. The penalties which shall be payable in compromise of the violations of this chapter shall be in accordance with ' 71.01.

(2) If any person receiving notice of violation shall fail to compromise such violation, the Town Marshal or his or her designee shall prepare or cause to be prepared a proper affidavit for instituting proper legal action against such violator. Any such person who fails to compromise such violation, upon conviction of the offense charged, shall be liable for a fine in the amount prescribed by the presiding judge.

(3) In addition to the penalties provided for herein, the Town Marshal or Deputy Marshal may cause any vehicle parked in violation of any provision of the state traffic statutes or town ordinances to be removed to a private garage or place where the same shall be impounded and detained. Such vehicle shall be released only upon order of the Town Marshal or a Deputy Marshal after payment of the fine required by this chapter to be paid in compromise of such violation, and all costs of towing and storage.
(1989 Code, ' 8-21) (Ord. 57, passed 3-11-1971)

' 71.03 NON-EXCLUSIVE JURISDICTION.

The Town Marshal or any Deputy Marshal may file any motor vehicle violation committed within the town in any court of competent jurisdiction in lieu of using the provisions of this chapter.
(1989 Code, ' 8-22) (Ord. 57, passed 3-11-1971)

CHAPTER 72: SPEED REGULATIONS

Section

72.01 Twenty mph speed limits

' 72.01 TWENTY MPH SPEED LIMITS.

The speed limits on all streets within the town limits, with the exception of U.S. Highway No. 33 (U.S. 31 N. Business) shall be 20 mph as posted.
(1989 Code, ' 8-28) (Ord. 102, passed 5-14-1981)

CHAPTER 73: GROSS WEIGHT LIMITS

Section

73.01 Purpose of weight limits

73.02 Eight-ton limit

73.99 Penalty

' 73.01 PURPOSE OF WEIGHT LIMITS.

For the purpose of avoiding needless wear and tear to the public streets and thoroughfares within the town limits, with the exception of U.S. Highway No. 33, the Town Council deems it appropriate to establish certain weight limits for vehicle traveling on said streets and thoroughfares.
(1989 Code, ' 8-34) (Ord. 114, passed 9-9-1982)

' 73.02 EIGHT-TON LIMIT.

No vehicle shall travel on any street within the town limits, with the exception of U.S. Highway No. 33, if said vehicle has a gross weight in excess of eight tons.
(1989 Code, ' 8-35) (Ord. 114, passed 9-9-1982) Penalty, see ' 73.99

' 73.99 PENALTY.

Any owner or operator of any vehicle or trailer who violates the terms of this chapter shall be fined in the sum of \$100 plus \$100 per ton in excess of the legal maximum weight.
(1989 Code, ' 8-36) (Ord. 114, passed 9-9-1982)

CHAPTER 74: SEMI-TRACTORS AND TRAILERS

Section

74.01 Parking prohibitions

74.99 Penalty

' 74.01 PARKING PROHIBITIONS.

It shall be unlawful for the owner or operator of any semi-tractor and/or trailer to park or permit the parking of any such vehicle upon any street within the town between the hours of 5:00 p.m. and 5:00 a.m. (1989 Code, ' 8-40) (Ord. 68, passed 6-15-1973) Penalty, see ' 74.99

' 74.99 PENALTY.

Any owner or operator of any semi-tractor and/or trailer who violates the terms of this chapter shall be fined in the sum of \$25 and any such vehicle so parked shall be towed away at the expense of the owner or operator thereof. (1989 Code, ' 8-41) (Ord. 68, passed 6-15-1973)

CHAPTER 75: SNOW ROUTE REGULATIONS

Section

- 75.01 Definitions
- 75.02 Snow routes; designations; posting
- 75.03 Town Council President to declare snow removal condition
- 75.04 Snow removal condition; traffic regulation

- 75.99 Penalty

' 75.01 DEFINITIONS.

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

CHAINS. Full chains, strap chains or other types of chains mounted on both rear wheels of a motorized vehicle.

SNOW. Any precipitation depositing any accumulation on the streets, including snow, sleet, hail, ice and freezing rain.

SNOW REMOVAL CONDITIONS. A state of street conditions that are hazardous and dangerous to vehicular and pedestrian traffic and so declared by the Town Council President.

SNOW ROUTES. All streets in the town so designated and marked.

SNOW TIRES. Tires having treads designed for use in snow, which tires must be in such condition as to serve the purpose for which they are designed.

VEHICLES. All self-propelled motorized vehicles using town streets and highways, excluding public transportation conveyances.

(1989 Code, ' 8-46) (Ord. 87, passed 3-1-1978)

' 75.02 SNOW ROUTES; DESIGNATIONS; POSTING.

(A) The Town Council shall, by regulation, designate streets which are heavily traveled and are necessary thoroughfares for the movement of vehicular traffic through the town as snow routes.

(B) All streets designated as snow routes shall be posted with suitable signs or markers.
(1989 Code, ' 8-47) (Ord. 87, passed 3-1-1978)

' 75.03 TOWN COUNCIL PRESIDENT TO DECLARE SNOW REMOVAL CONDITION.

(A) When, in the opinion of the Town Council President, the actual or expected precipitation of snow will create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, he or she shall have authority to declare a snow removal condition.

(B) The Town Council President shall immediately inform the public of the snow removal conditions by issuing a press release to the local radio, television and news services.

(C) The snow removal condition shall continue in force and effect until the Town Council President declares it to be over in the same manner as provided for in division (B) above.
(1989 Code, ' 8-48) (Ord. 87, passed 3-1-1978) Penalty, see ' 75.99

' 75.04 SNOW REMOVAL CONDITION; TRAFFIC REGULATION.

After a snow removal condition has been declared and during its existence:

(A) No vehicle shall be parked on a snow route;

(B) Any person who drives a vehicle without chains or snow tires upon any street designated as a snow route and the vehicle becomes stalled or incapable of moving under its own power or who leaves such vehicle unattended shall be in violation of this chapter and subject to penalties set forth in ' 75.99;

(C) Any vehicle parked, stalled, incapable of moving under its own power or left unattended upon any street designated as a snow route may be impounded; and

(D) The Town Council President may declare any snow route or any part of a snow route to be free from the restrictions herein imposed when, in his or her opinion, the weather or street conditions warrant such an exclusion. The Town Council President shall give notice of this determination in the manner provided for in ' 75.03(B).

(1989 Code, ' 8-49) (Ord. 87, passed 3-1-1978) Penalty, see ' 75.99

' 75.99 PENALTY.

Any person violating the provisions of this chapter may be fined in an amount not to exceed \$25.
(1989 Code, ' 8-50) (Ord. 87, passed 3-1-1978)

CHAPTER 76: SNOWMOBILE REGULATIONS

Section

- 76.01 Definitions
- 76.02 Snowmobiles prohibited to be used at night
- 76.03 Daytime use of snowmobiles
- 76.04 Operation on own property
- 76.05 Other regulations

- 76.99 Penalty

Statutory reference:

Authorizing towns to regulate the operation of snowmobiles by ordinance and setting forth areas of limitations, see I.C. 14-16-1-22

' 76.01 DEFINITIONS.

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

DAY. The hours from 8:00 a.m. to 8:00 p.m.

NIGHT. The hours from 8:00 p.m. to 8:00 a.m.
(1989 Code, ' 8-55) (Ord. 62, passed 2-10-1972)

' 76.02 SNOWMOBILES PROHIBITED TO BE USED AT NIGHT.

No snowmobile shall be operated at night within the limits of the town.
(1989 Code, ' 8-56) (Ord. 62, passed 2-10-1972) Penalty, see ' 76.99

' 76.03 DAYTIME USE OF SNOWMOBILES.

No snowmobile shall be operated during the day within the limits of the town, except for the purpose of proceeding on the most direct route from the place where it is usually housed or stored to a place outside of the town or for the purpose of returning on the same direct route.

(1989 Code, ' 8-57) (Ord. 62, passed 2-10-1972) Penalty, see ' 76.99

' 76.04 OPERATION ON OWN PROPERTY.

Nothing herein contained shall prevent the owner of a snowmobile from operating his or her snowmobile upon real estate owned by such operator within the limits of the town during the day.

(1989 Code, ' 8-58) (Ord. 62, passed 2-10-1972)

' 76.05 OTHER REGULATIONS.

In addition to the restrictions herein contained, the owners and operators of snowmobiles within the limits of the town and the operation of such snowmobiles shall be subject to all statutes, rules and ordinances of the state and the motor vehicles generally.

(1989 Code, ' 8-59) (Ord. 62, passed 2-10-1972)

' 76.99 PENALTY.

Any person violating this chapter shall be fined a sum not to exceed \$50 for each violation.

(1989 Code, ' 8-60) (Ord. 62, passed 2-10-1972)