

Chapter 62

TRAFFIC AND VEHICLES*

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ARTICLE I. IN GENERAL**Sec. 62-1. Penalties.**

Any person who violates any provision of this chapter shall upon conviction be fined according to a schedule of fees, as shall be modified from time to time by the Town Council, and made available for public inspection in the Clerk-Treasurer's Office, for a moving violation and according to a schedule of fees, as shall be modified from time to time by the Town Council, and made available for public inspection in the Clerk-Treasurer's Office for a nonmoving violation. (Ord. No. 2006-09, § 19, 6-5-2006)

Sec. 62-2. Compliance with state law required.

Every motor vehicle, motorcycle, authorized emergency vehicle, school bus, bicycle, tractor, truck tractor, farm tractor, road tractor, bus, semitrailer or any other type of vehicle as defined by state statute shall comply with and obey all traffic laws and traffic signals enacted by the state.

(Ord. No. 2006-09, § 2, 6-5-2006)

Sec. 62-3. Exercise of due care required.

Each driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

(Ord. No. 2006-09, § 10, 6-5-2006)

Sec. 62-4. Keeping reasonable distance required.

A person who drives a motor vehicle may not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of both vehicles, the time interval between vehicles, and the condition of the roadway.

(Ord. No. 2006-09, § 12, 6-5-2006)

Sec. 62-5. Compliance with lawful order required.

It shall be unlawful for a person to knowingly fail to comply with a lawful order or directive of a law enforcement officer invested by law with authority to direct, control, or regulate traffic.

(Ord. No. 2006-09, § 18, 6-5-2006)

Secs. 62-6—62-28. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. GENERALLY

Secs. 62-29—62-59. Reserved.

DIVISION 2. TOWN COUNCIL

Sec. 62-60. Signs and markings to be erected.

(a) The Town Council shall cause to be erected stop signs, yield signs, and signs that indicate where parking is permitted and prohibited. It shall be unlawful for any person except by direction of the Town Council to erect such signage.

(b) All signs, including the marking and erection of traffic control devices in the Town shall follow the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. (Code 1959, ch. 15, art. VIII, §§ 15-18, 15-19)

State law reference—Traffic control devices, IC 9-21-4-1 et seq.

Secs. 62-61—62-78. Reserved.

DIVISION 3. TOWN MARSHAL

Sec. 62-79. Traffic duties of Town Marshal.

The Town Marshal shall enforce all state and Town traffic laws; make arrests for traffic violations; investigate all traffic accidents and prepare reports thereabout; and assist the Town Council in the development and administration of traffic laws. This shall be carried out by performing the following:

- (1) The Town Marshal shall maintain a standard system of filing traffic accident and violation reports and shall maintain suitable records showing the types and numbers of traffic accidents.
- (2) The Town Marshal shall make frequent studies and analyses of all accident and arrest reports and records and shall utilize such information to develop means of accident prevention.
- (3) Every police officer who in the regular course of duty investigates a traffic accident, shall make a full and complete report of such investigation on a standard accident report form. Investigation is required where there is injury or death of a person or total property damage to either vehicle appears to exceed \$1,000.00. Said reports shall be available to the public for a nominal copying fee.
- (4) The Town Marshal shall annually prepare and file a traffic report with the Town Council. Said report shall include all information pertinent to:
 - a. The number of traffic accidents;

- b. Number of accidents investigated;
 - c. Accident trends;
 - d. Arrests made as a result of said investigations;
 - e. Number of moving traffic violation arrests;
 - f. Number of parking violations and arrests incident thereto; and
 - g. Any other data on the traffic activities of the Police Department.
- (Code 1959, ch. 15, art. II, §§ 15-2—15-6)

State law references—Investigation of accidents; accident reports, IC 9-26-2-1 et seq.

Secs. 62-80—62-101. Reserved.

ARTICLE III. TRAFFIC SCHEDULES*

Sec. 62-102. Speed limits.

(a) The speed limits as set forth in IC 9-21-5-1 et seq. shall be applicable upon all streets within the corporate limits of the Town, unless as otherwise posted, as authorized by IC 9-21-5-6, which declares and determines upon the basis of engineering or traffic investigation that certain speed regulations shall be applicable on specific streets, in which event it should be prima facie unlawful for any person to drive a vehicle in excess of any speed posted in a designated area.

(b) It shall be unlawful for any person to move or operate any motor vehicle at a speed greater than ten miles per hour over and along any alley located within the corporate limits of the Town.

(c) Each driver of a vehicle shall obey the posted school zone speed limit of 20 miles per hour.

(Ord. No. 2006-09, §§ 3, 11, 17, 6-5-2006)

State law references—Maximum speed limits, IC 9-21-5-2; alteration of maximum speed limits, IC 9-21-5-3; minimum speed limits, IC 9-21-5-8.

Sec. 62-103. Stop signs.

Every operator of every vehicle shall observe all stop signals and signs as erected by the Town by bringing his vehicle to a complete stop at or before said sign.

(Code 1959, ch. 15, art. V, § 15-11)

***State law references**—Traffic control devices, IC 9-21-4-1 et seq.; speed limits, IC 9-21-5-1 et seq.

Sec. 62-104. Yield signs.

Every operator of every vehicle shall observe all "yield" signals and signs as erected by the Town by yielding the right-of-way to other vehicles at all intersections so marked.

(Code 1959, ch. 15, art. VI, § 15-13)

Sec. 62-105. Limited parking areas.

(a) It shall be unlawful for the operator of a vehicle to park any vehicle in an area designated by a traffic parking sign as a "No Parking Area."

(b) It shall be unlawful for the operator of a vehicle to park any vehicle in a designated parking area for a time period which exceeds the time allowed by a traffic parking sign.

(Code 1959, ch. 15, art. VII, §§ 15-15, 15-16)

Secs. 62-106—62-123. Reserved.

ARTICLE IV. PARKING, STOPPING AND STANDING*

Sec. 62-124. Handicap parking areas.

A lawfully issued and unexpired handicap parking permit, duly displayed, shall be required for vehicular use of a properly marked handicap parking space.

(Ord. No. 2006-09, § 1, 6-5-2006)

Sec. 62-125. Parking upon or along roadway.

(a) No person shall park a vehicle within a roadway or alley, except for the purpose of loading or unloading freight, in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic. Roadside parking shall be allowed as designated.

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

(c) No person shall park a vehicle upon any roadway for the principle purpose of displaying such vehicle for sale, or washing, greasing or repairing such vehicle, except for repairs necessitated by an emergency.

(Ord. No. 2006-09, §§ 4—6, 6-5-2006)

Sec. 62-126. Pedestrians upon or along roadway.

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

*State law reference—Traffic regulation, parking, IC 9-21-16-1 et seq.

(b) Where sidewalks are provided, no pedestrian shall walk along or upon an adjacent roadway.

(c) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

(Ord. No. 2006-09, §§ 7—9, 6-5-2006)

Sec. 62-127. School buses and school crossings.

(a) No driver of any vehicle shall fail to come to a complete stop when approaching a school bus from any direction in which the arm signal device is in its extended position.

(b) No driver of any vehicle shall proceed when approaching a school bus from any direction before the arm signal device is no longer extended.

(c) Each driver of a vehicle shall obey the instructions of a school crossing guard to stop the vehicle while in a school crossing zone.

(d) Whenever a driver of a vehicle approaches a school crossing zone, the driver shall exercise extraordinary caution to secure the safety of the children and pedestrians within the school crossing zone.

(Ord. No. 2006-09, §§ 13—16, 6-5-2006)

Sec. 62-128. Parking of large vehicles.

No motor vehicle weighing 10,000 pounds or more, or any semitractors or semitrailers may be parked on any Town thoroughfare except for purposes of loading and unloading. Said vehicles may be parked on an individual's private property.

(Ord. No. T-1, 4-5-1976)

Secs. 62-129—62-154. Reserved.

ARTICLE V. SNOW REMOVAL EMERGENCIES

Sec. 62-155. No parking after snowfall.

(a) It shall be unlawful to park any vehicle on the following described public streets in the Town at any time within 12 hours after a snowfall of three inches or more has occurred or at any time when such street is being cleaned of snow.

(b) The streets in which no parking for snow removal will be in effect are:

(1) Lane Street from Talmer Avenue (State Road 10) to Sycamore Street;

(2) Main Street from Talmer Avenue (State Road 10) to Luken Street.

(Ord. No. 81-A, 2-16-1981)

Sec. 62-156. Towing of Vehicles.

(a) The Town Marshal and deputy marshals are authorized to remove and tow away or to have removed and towed away by commercial towing service the car or vehicle of any person in violation of this article.

(b) Vehicles so towed shall be stored in a safe place and shall be restored to the owner/operator upon payment of a commercial towing fee, storage fee and a fine according to a schedule of fees, as shall be modified from time to time by the Town Council, and made available for public inspection in the Clerk-Treasurer's Office.

(Ord. No. 81-A, 2-16-1981)

Secs. 62-157—62-180. Reserved.

ARTICLE VI. BICYCLES*

Sec. 62-181. Penalties.

Upon violation of this article by any person, the Marshal or deputy may at his discretion issue a citation:

- (1) Requiring the owner of the bicycle that is the subject of said violation to deliver and surrender said bicycle to the Town Police Department for a period not to exceed 30 days;
- (2) Imposing a fine according to a schedule of fines as shall be modified from time to time by the Town Council and made available for public inspection in the Clerk-Treasurer's office, as prescribed by the provisions of section 1-13.

(Code 1959, ch. 3, art. I, §§ 3-18, 3-19)

Sec. 62-182. Applicable law.

(a) Operators of bicycles on public thoroughfares shall conform to this article and to the statutes, ordinances, rules, and regulations established for operation of motor vehicles.

(b) The provisions of this article shall apply whenever a bicycle is operated upon any street, sidewalk, alley, or any bicycle or public path.

(Code 1959, ch. 3, art. I, §§ 3-1, 3-16)

Sec. 62-183. Number of riders.

Not more than one person shall ride upon a bicycle unless such bicycle is designed and manufactured for more than one rider.

(Code 1959, ch. 3, art. I, § 3-3)

*State law reference—Bicycles and motorized bicycles, IC 9-21-11-1 et seq.

Sec. 62-184. Position of rider's hands.

While operating a bicycle the rider shall at all times keep both hands on the bicycle's handlebars.

(Code 1959, ch. 3, art. I, § 3-9)

Sec. 62-185. Helmet required.

Every person under the age of 12 years riding a bicycle on a public thoroughfare shall wear a standard bicycle safety helmet.

Sec. 62-186. Brakes required.

Every bicycle shall be equipped with a brake to enable the operator to bring the bicycle to a stop within a reasonable distance on dry, level, clean pavement.

(Code 1959, ch. 3, art. I, § 3-15)

Sec. 62-187. Speed of travel.

No person shall operate a bicycle at a speed greater than permits him to bring the bicycle to a stop within the ensured distance ahead.

(Code 1959, ch. 3, art. I, § 3-13)

Sec. 62-188. Operation on public thoroughfare.

Bicycle operators shall obey the following rules when operating a bicycle upon a public thoroughfare:

- (1) A bicycle shall be operated as close to the right edge of a public thoroughfare as is reasonably possible.
- (2) Bicycles shall be ridden in a single file line when passing or being passed by vehicles or other objects on the thoroughfare, parked or moving.
- (3) At no time shall bicycles be ridden more than two abreast on a public thoroughfare.

(Code 1959, ch. 3, art. I, §§ 3-4, 3-5)

Sec. 62-189. Operation on sidewalk.

A person riding a bicycle on a sidewalk shall yield the right-of-way to any pedestrian. A person riding a bicycle on a sidewalk shall give an audible signal a reasonable distance before overtaking and passing a pedestrian.

(Code 1959, ch. 3, art. I, §§ 3-7, 3-8)

Sec. 62-190. Operation at night.

A bicycle operated on a highway from one-half hour after sunset until one-half hour before sunrise is by definition being operated at night and is subject to the following:

- (1) Bicycles operated at night shall display a white light on the front thereof. Said light shall be securely fastened to the bicycle and plainly visible from a distance of 500 feet ahead under normal atmospheric conditions.

- (2) Bicycles operated at night shall display a red light on the rear thereof that is plainly visible from a distance of 500 feet to the rear under normal atmospheric conditions.
(Code 1959, ch. 3, art. I, § 3-10)

Sec. 62-191. Bicycle parking.

A bicycle shall not be parked on the street except as follows:

- (1) In the street against the curb so as not to obstruct vehicular traffic;
 - (2) Upon a sidewalk in a rack or next to the curb so as not to obstruct pedestrian traffic;
 - (3) Against a building.
- (Code 1959, ch. 3, art. I, § 3-14)

Sec. 62-192. Parent or guardian responsibility.

No parent or guardian of any child shall authorize or knowingly permit his child or ward to violate this article.

(Code 1959, ch. 3, art. I, § 3-17)

Chapters 63—65

RESERVED

