

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: GENERAL PROVISIONS

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‘ 70.01 SHORT TITLE; SCOPE; COMPLIANCE.

(A) This title shall be known as the Traffic Code of the town.

(B) (1) The provisions of this title are intended to apply to all traffic and to all persons not specifically exempted.

(2) The provisions of the title may in no way limit, alter, or otherwise affect the civil or criminal responsibility of any person under the laws of the state.

(C) It shall be unlawful for any person to do any act forbidden or fail to perform any act required in this title.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ‘ 70.99

‘ 70.02 DEFINITIONS.

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

ALLEY. Any passage or way for public use which serves rear entrances to property.

AUTHORIZED EMERGENCY VEHICLE. All vehicles of the Marshal, Police, Sheriff, or Fire Departments, or ambulances; or any public service corporation while engaged in emergency operation; or any motor equipment or personal vehicles of members of these departments while being used in response to an emergency situation.

BUSINESS DISTRICT. The territory contiguous to and including a highway when 50% or more of the frontage thereon for a distance of 500 feet or more is occupied by buildings in use for business purposes.

CROSSWALK. The portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface of the roadway.

DRIVER or OPERATOR. Every person who drives or is in actual physical control of a vehicle.

INTERSECTION. The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of 2 highways which join one another at or approximately at right angles, or the area within which vehicles travelling upon different highways, joining at any other angle, may come in conflict.

MOTOR VEHICLES. Every vehicle which is self-propelled but not operated upon stationary rails or tracks.

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

PARKING. 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 natural person, firm, copartnership, association or corporation.

POLICE OFFICER. Every officer of the Town Marshal=s department, and any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD OR DRIVEWAY. Every way or place in private ownership and used for vehicular travel by the owner and use having express or implied permission from the owner, but not by other persons.

RAILROAD. A carrier of persons or property upon cars operated upon stationary rails.

RAILROAD TRAIN. A steam-, electric-, oil-, motor- or otherwise driven or propelled engine or locomotive, with or without cars coupled thereto, operated upon rails.

RESIDENCE DISTRICT. The territory contiguous to and including a highway not comprising a business district when the property on the highway for a distance of 500 feet or more is in the main improved with dwellings, or dwellings and buildings in use for business purposes.

RIGHT-OF-WAY. The privilege of the immediate use of the roadway.

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

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

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

STOP. When required, complete cessation of movement.

STOP or **STOPPING.** When prohibited, any stopping of a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control sign or signal.

STREET or **HIGHWAY.** The entire width between property lines of every way or place, of whatever nature, when any part thereof is open to the use of the public, for purposes of vehicular traffic.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

TRAFFIC SIGNALS. Any device whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop, slow down, or to proceed.

TRAFFIC-CONTROL DEVICES. All signs, signals, and markings on the highway or adjacent thereto and devices not inconsistent with this section placed or erected by authority of a public body, by the State Highway Commission of Indiana, or by the Town Council, or by an official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

VEHICLE. Every device in, upon, or by which any person or property is or may transported or drawn upon a highway except devices used exclusively upon stationary rail or tracks.
(Ord. 1979-2, passed 3-21-1979)

▸ **70.03 STATE HIGHWAY REGULATIONS.**

Whereas the State Highway Commission is authorized and empowered to select the route of highways in the state highway system through incorporated cities and towns from time to time to change the routes, and to regulate and control parking on the streets and remove all hazards to traffic therein, the duly adopted and legally effective regulations of the State Highway Commission applicable to traffic

on the state highways within the corporate limits of the town are hereby adopted and made a part of this code, and any other provision or regulation herein which may be in conflict with these regulations is hereby applied to the extent of the conflict.

(Ord. 1979-2, passed 3-21-1979)

' 70.04 ENFORCEMENT AND ADMINISTRATION.

(A) Notification of violations.

(1) Whenever a person is charged with a violation of a provision of this title or any other applicable ordinance of the town, the law enforcement officer or officers having jurisdiction in the town shall prepare, in duplicate, written notice to appear in court containing the name and address of the person, the violation charged, and the time and place where the person shall appear in court. The Uniform Traffic Ticket form shall be used and shall constitute the notice in all moving traffic violations.

(2) All proceedings to enforce this title and any other applicable ordinance of the town shall be brought in the name of the town.

(B) Date of hearing. The time specified in the notice to appear must be at least 5 days after the notice is given, unless the person shall demand an earlier hearing.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

' 70.99 PENALTY.

(A) Unless otherwise provided, fines for the violation of this title shall be as follows:

(1) First offense: \$10.

(2) Second offense within a 1-year period: \$15.

(3) Subsequent offense(s) within a 1-year period: \$25.

(B) Unless otherwise provided, fines for the violation of any parking provision set forth in ' 72.01 and Chapter 74, Parking Schedules, shall be as follows:

(1) First offense: \$2.

(2) Second offense within a 1-year period: \$5.

(3) Subsequent offense(s) within a 1-year period: \$10.

(C) (1) Whenever any person is charged with a violation of any provision of the Traffic Code of the following designated class:

(a) A provision which controls or regulates the standing or parking of vehicles upon any street, alley, or other public place within the town;

(b) A provision which regulates traffic by means of traffic-control signals within the town;

(c) A provision which designates particular streets as 1-way streets and requires that all vehicles move in 1 specific direction;

(d) A provision which regulates the speed of vehicles on the streets, alleys, or public places within the town;

(e) A provision which designates any street as a through street and requires that all vehicles stop before entering and/or crossing the same; or

(f) A provision which designates any intersection as a stop intersection which requires all vehicles to stop at 1 or more entrances to the intersections.

(2) In lieu of the person=s being charged for any of the above-mentioned violations in court for the penalties prescribed in the provisions, the person so charged may pay to the Clerk-Treasurer at anytime during his or her normal business hours prior to the date specified in the notice to appear, for the benefit of the General Fund of the town, the amount of fine specified in the Traffic Code provision, the sum not to exceed \$25 for each violation.

(D) All violations of this title or any other ordinance relating to moving vehicles shall be certified to the Bureau of Motor Vehicles pursuant to state law.

(Ord. 1979-2, passed 3-21-1979)

CHAPTER 71: TRAFFIC RULES

Section

- 71.01 Police officer=s signal
- 71.02 Obedience to official traffic-control devices
- 71.03 Interference with signs, signals, or markings
- 71.04 Speed regulations
- 71.05 Stop signs or traffic signals at intersections
- 71.06 Entering intersections
- 71.07 Emergency vehicles
- 71.08 Pedestrian care
- 71.09 Shrubbery and plants obstructing view of driver
- 71.10 Emergency regulations
- 71.11 Truck parking restrictions
- 71.12 Loading limits

Cross-reference:

Traffic Schedules, see Ch. 74

‘ 71.01 POLICE OFFICER=S SIGNAL.

It shall be unlawful for any person to willfully fail or refuse to comply with any lawful order or direction of a police officer.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ‘ 70.99

‘ 71.02 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES.

(A) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic regulations of the town unless directed otherwise by a police officer, subject to the exceptions granted to the driver of an authorized emergency vehicle.

(B) A list of signed stop intersections shall be found in Chapter 74, Schedule II.

(C) No signs not so authorized may be placed within the town limits.

(Ord. 1979-2, passed 3-21-1979)

‘ 71.03 INTERFERENCE WITH SIGNS, SIGNALS, OR MARKINGS.

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 signs or signals, or any inscription, shield, or insignia thereon, or any part thereof.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ‘ 70.99

‘ 71.04 SPEED REGULATIONS.

(A) *General speed limits.* No person shall drive a vehicle on any highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so restricted as may be necessary to avoid collision with any person or vehicle or other conveyance on, near, or entering the highway in compliance with legal requirements and with the duty of all persons to use due care.

(B) *Specific speed limits.* No person shall drive a vehicle on a highway or other traffic way at a speed which is greater than the limit fixed by ordinance or resolution of the Town Council, the State Highway Commission, statutory law, or other authorized authority, and evidenced by official signs or markings as provided in the Traffic Code.

(C) *Prima facie speed limits.* Where no special hazard exists, the following speeds shall be lawful, but any speed in excess of the limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

(1) Thirty miles per hour within the town limits.

(2) Ten miles per hour in the town=s alleys.

(3) Novae Parkway: 35 m.p.h. from U.S. 224 to Tower Road and 45 m.p.h. from Tower Road to E. 50 N.

(Ord. 1979-2, passed 3-21-1979; Am. Ord. 2011-1, passed 4-20-2011) Penalty, see ‘ 70.99

‘ 71.05 STOP SIGNS OR TRAFFIC SIGNALS AT INTERSECTIONS.

(A) When stop signs or traffic signals are erected at the entrance to any intersection, every driver of a vehicle shall stop at every such intersection or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.

(B) The stop made shall be full and complete.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ‘ 70.99

Cross-reference:

Stop intersections, see Ch. 74, Sched. II

▸ **71.06 ENTERING INTERSECTIONS.**

(A) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.

(B) When 2 vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

▸ **71.07 EMERGENCY VEHICLES.**

The provisions of the Traffic Code regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles as defined herein except as follows:

(A) A driver, when operating any such vehicle in an emergency, except when otherwise directed by a police officer, may:

(1) Park or stand notwithstanding all provisions of this Traffic Code;

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the prima facie speed limits so long as he or she does not endanger life or property;
and

(4) Disregard regulations governing direction of movement or turning in specific directions so long as he or she does not endanger life or property.

(B) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway or street.

(Ord. 1979-2, passed 3-21-1979)

▸ **71.08 PEDESTRIAN CARE.**

(A) When traffic-control devices are not in place or in operation, the driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

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

(C) Every 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.

(D) Notwithstanding the provisions of division (C) of this section, the 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. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

' 71.09 SHRUBBERY AND PLANTS OBSTRUCTING VIEW OF DRIVER.

(A) No owner, occupant, or tenant of any real estate abutting any street intersection shall permit any trees, plants, or shrubbery at any intersection, or within 20 feet from the intersecting curbs of the intersection, which obstructs or tends to obstruct the view of any operator of a vehicle or of a pedestrian approaching the intersection. Any owner or occupant of any property abutting a street intersection who shall fail to comply with this section shall be served with written notice of the noncompliance by the Town Marshal, who shall serve the notice by leaving a copy of the notice with any occupant or owner of the real estate or by posting the same on the real estate; and failure thereafter within 5 days to comply shall constitute a violation of this section.

(B) A violation shall be dealt with as in the weed control provisions set forth in ' ' 91.15 *et seq.*
(Ord. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

' 71.10 EMERGENCY REGULATIONS.

Notwithstanding other provisions of this code, the Town Marshal may, in the event of an emergency affecting the movement of traffic, formulate such regulations as he or she may deem necessary for the proper control of traffic and the public safety, the regulations to be effective during the continuance of the emergency. No such regulations shall be enforceable until the same shall be evidenced by the placement of official signs or markings or by the stationing of a police officer to direct traffic in accordance with the regulations.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

' 71.11 TRUCK PARKING RESTRICTIONS.

Freight carrying vehicles of 1 ton or more shall not park along the town=s streets, except while loading and unloading freight.

(Ord. 1979-4, passed 4-18-1979) Penalty, see ' 70.99

' 71.12 LOADING LIMITS.

Five-ton (10,000-pound vehicle gross weight) vehicles and all vehicles of a greater weight are prohibited on town streets.

(Ord. 1979-4, passed 4-18-1979) Penalty, see ' 70.99

CHAPTER 72: PARKING

Section

72.01 Parking prohibited

Cross-reference:

Parking Schedules, see Ch. 75

72.01 PARKING PROHIBITED.

Parking shall be prohibited as follows:

(A) *Narrow streets.* When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any so designated place.

(B) *Hazardous places.* When signs are erected upon approaches to hazardous or congested places, no person shall stop, stand, or park a vehicle in any so designated place.

(C) *Adjacent to schools.* When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park a vehicle in any so designated place.

(D) *Alleys.* No person shall park a vehicle on any alley for a period of time longer than 15 minutes at any time.

(E) *At all times in designated places.* When signs are erected giving notice there of, no person shall park a vehicle at any time upon any street or part of any street so designated by the Town Board and signed for No Parking. The curb painted yellow shall indicate no parking and no person shall park at any time opposite any curb painted yellow.

(F) *Commercial purposes.* No person shall stand or park a vehicle upon any roadway for the principal purpose of:

(1) Displaying it for sale;

(2) Washing, greasing, repairing, or installing devices on the vehicle except repairs necessitated by an emergency; and

(3) Advertising.

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

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within 15 feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 50 feet of the nearest rail of a railroad crossing;
- (7) In the driveway entrance or exit of the fire and emergency station;
- (8) Alongside or opposite any street excavation or obstruction, when the stopping, standing, or parking would obstruct traffic;
- (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (10) Upon any bridge or other elevated structure upon a highway or within any highway tunnel or underpass; or
- (11) At any place where official signs prohibit stopping.

(H) *Motion by non-owner.* No person shall move a vehicle not owned by that person into a prohibited area or away from a curb such distance as is unlawful.

(I) *Specific location on roadway.* Unless signs or road markings posted or placed in accordance with this title or any other applicable ordinance of the town provide otherwise, no person shall stand or park a vehicle in a roadway other than on the right of the roadway and parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within 12 inches of the edge of the roadway, except commercial vehicles for the purpose of taking on or discharging any load when necessary.

(J) *Responsibility for vehicle.* No person shall allow, permit, or suffer any vehicle registered in his or her name to stand or park in any street in this town in violation of any of the provisions of this title regulating the standing or parking of vehicles.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

CHAPTER 73: BICYCLES

Section

73.01 Operating regulations

73.01 OPERATING REGULATIONS.

(A) *Applicability.* Every person riding a bicycle upon a roadway shall be subject to the provisions of this title applicable to the driver of a vehicle except as to the special regulations of this section, and except as to those provisions which by their very nature can have no application.

(B) *Parental responsibility.* The parent of any child and the guardian of any ward shall not authorize or knowingly permit any child or ward to violate any of the provisions of this title.

(C) *Riding on bicycles.*

(1) A person propelling a bicycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon the bicycle otherwise than upon a firmly attached and regular seat thereon, nor shall any person ride upon a bicycle otherwise than as above stated.

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

(D) *Clinging to vehicles.* Any person upon any bicycle, coaster, roller skates, or toy vehicle shall not attach the same or himself or herself to any street car or vehicle upon a roadway.

(E) *Riding in a group.* Persons riding bicycles upon a roadway shall ride in single file except on paths or parts of roadways set aside for the exclusive use of bicycles.

(F) *Carrying articles.* No person riding a bicycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebars.

(G) *Audible signal.* No person shall ride a 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 shall be equipped with, nor shall any person use upon a bicycle any siren or whistle.

(H) *Lamps on bicycles.* Every bicycle operated on a public highway from 1/2 hour after sunset until 1/2 hour before sunrise shall be equipped with a lamp on the front exhibiting a white illuminating light visible from a distance of 500 feet, and the bicycle shall be equipped with a lamp on the rear exhibiting a red light visible from a distance of 500 feet; except that a red reflector meeting the requirements of this title may be used in lieu of a rear lamp.

(Ord. 1979-2, passed 3-21-1979) Penalty, see ' 70.99

CHAPTER 74: TRAFFIC SCHEDULES

Schedule

- I. One-way streets
- II. Stop intersections

SCHEDULE I. ONE-WAY STREETS.

Traffic shall travel on the following streets in the direction indicated:

<i>Street</i>	<i>Location</i>	<i>Direction</i>	<i>Ord. No.</i>	<i>Date Passed</i>
County Line Road	From State Route 116 to Draper	North	1990-12	9-19-1990
Public alley	Between Fifth Street and South Street, bordered by Lots 7 and 8 in the Rousch Addition to the town	West	1981-4	5-20-1981

Penalty, see ' 70.99

SCHEDULE II. STOP INTERSECTIONS.

The following intersections shall be stop intersections. All traffic approaching the intersection shall come to a complete stop where indicated before entering the intersection; signage shall be installed on approaches to the intersections as follows:

<i>Intersection</i>	<i>Stop Street/Sign Location</i>	<i>Type of Stop</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Allen and Lee Street	Allen Street	1-way	1985-4	5-15-1985
Brickley Street and Allen Street	As signed; SE side of Brickley Street	1-way	2010-1	2-17-2010
Clark Street	As signed	1-way	1979-2	3-21-1979
Clark Street and Hale Street	As signed	1-way	1979-2	3-21-1979
Clark Street and Township Road West	As signed	2-way	1979-2	3-21-1979
Clark Street and West Mercury Drive	As signed	1-way	1979-2	3-21-1979
Clay Street and State Route 3	As signed	1-way	1979-2	3-21-1979
Clay Street and Hoover Lane	Hoover Lane; SE corner of intersection	1-way	2003-7	11-19-2003
Conifer Court and E. Morse Street also State Route 116	E. Morse Street; SE side of Conifer Court	-	1999-1	6-16-1999
Countryside Drive and Tracy Street	As signed; SW side of Countryside Drive	1-way	2010-1	2-17-2010
County Line Road and Hall Street	As signed	1-way	1979-2	3-21-1979
County Line Road and Draper Street	County Line Road	2-way	1990-12	9-19-1990
County Road 50 N and Novae Parkway	As signed; NE side of County Road 50 N	1-way	2010-1	2-17-2010

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<i>Intersection</i>	<i>Stop Street/Sign Location</i>	<i>Type of Stop</i>	<i>Ord. No.</i>	<i>Date Passed</i>
County Square Mall parking lot and Countryside Drive	Parking lot	1-way	1987-7	10-21-1987
Curry and State Route 3	As signed	1-way	1979-2	3-21-1979
Draper Street and Wilt Street	Draper Street	2-way	1990-3	2-21-1990
Draper Street and State Route 116	As signed	2-way	1979-2	3-21-1979
Fifth Street and County Line Road	Fifth Street	1-way	1990-1	1-17-1990
First Street and County Line Road	First Street	1-way	1987-8	10-21-1987
Gardner Court and South Street	As signed; NE side of Gardner Court	1-way	2010-1	2-17-2010
Girvin Street and County Line Road	Girvin Street	1-way	1990-1	1-17-1990
Girvin Street and North Clark Street	As signed; SW side of Girvin Street	1-way	2010-1	2-17-2010
Haflich and Second Street	Haflich Street	1-way	1984-1	2-15-1984
Hall and Maddix Street	Hall Street; sign at NE corner added	2-way	1986-9; 2003-7	8-25-1986; 11-19-2003
Harrison Street and Scott Street	Scott Street; SE corner of intersection	1-way	2003-7	11-19-2003
Harrison Street and Hoover Lane	Hoover Lane; NW corner of intersection	1-way	2003-7	11-19-2003
High Street at Scott Street	Scott Street; SE corner of intersection corner	1-way	2003-7	11-19-2003
Hoover Lane and Clark Street	As signed; SW side of Hoover	1-way	2010-2	4-21-2010

<i>Intersection</i>	<i>Stop Street/Sign Location</i>	<i>Type of Stop</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Hoover Lane and Lee Street	As signed; SW and NE sides of Hoover Lane	2-way	2010-1	2-17-2010
Lee Street and Windridge Drive	As signed; SE side of Lee Street	1-way	2010-1	2-17-2010
Maddox and South Street	As signed	2-way	1979-2	3-21-1979
Mercury Street and County Line Road	Mercury Street	1-way	1990-1	1-17-1990
Miller Street and Wilt Street	As signed; NW side of Miller Street	1-way	2010-1	2-17-2010
North Miller Street and East Sparks Street	North Miller	2-way	1979-4	4-18-1979
Parkview Drive and Tracy Street	Tracy Street; SE side of Parkview Drive	1-way	2001-9	4-18-2001
Pump Road and Morse Street (State Route 116)	Morse Street; SE corner of intersection	1-way	2003-7	11-19-2003
Red Willow Way and Tracy Street	As signed; NE side of Red Willow Way	1-way	2010-1	2-17-2010
Scott Street and Lee Street	Lee Street; SW corner of intersection	1-way	1996-1	1-17-1996
Second Street and County Line Road	As signed; NE side of Second Street	1-way	2010-1	2-17-2010
South Street and County Line Road	As signed; NE side of County Line Road	1-way	2010-1	2-17-2010
Sparks and State Route 3	As signed	2-way	1979-2	3-21-1979

<i>Intersection</i>	<i>Stop Street/Sign Location</i>	<i>Type of Stop</i>	<i>Ord. No.</i>	<i>Date Passed</i>
600 E. and Division Road on 600 E. Speed Limit 30 mph to city limits	As signed	1-way	1979-2	3-21-1979
State Route 116 and Lee Street	As signed	1-way	1979-2	3-21-1979
State Route 116 and Miller Street	As signed	2-way	1979-2	3-21-1979
State Route 3 and State Route 116	As signed	2-way	1979-2	3-21-1979
State Route 3 and Park Drive	As signed	2-way	1979-2	3-21-1979
Tower Drive and Novae Parkway	As signed; NE side of Tower Drive	1-way	2010-1	2-17-2010
Tracy Street and Windridge Drive	NE side at Tracy Street	1-way	2008-3	11-19-2008
U.S. 224 and County Square Road	As signed	1-way	1979-2	3-21-1979
U.S. 224 and Harrison	As signed	2-way	1979-2	3-21-1979
U.S. 224 and High	As signed	2-way	1979-2	3-21-1979
U.S. 224 and Lee Street	As signed	2-way	1979-2	3-21-1979
U.S. 224 and Maddox Street	As signed	2-way	1979-2	3-21-1979
U.S. 224 and State Route 3	NA	2 caution lights	1979-2	3-21-1979
U.S. 224 and State Route 3 and County Line Road	As signed	3-way	1979-2	3-21-1979
U.S. 224 and Wayne Metal entrance	As signed	1-way	1979-2	3-21-1979
Woodfield Court and Red Willow Way	As signed; NW and SE sides of Woodfield Court	2-way	2010-1	2-17-2010

Penalty, see ' 70.99

CHAPTER 75: PARKING SCHEDULES

Schedule

- I. Prohibited parking
- II. Parking restrictions

SCHEDULE I. PROHIBITED PARKING.

In accordance with ' 72.01, and when signs are erected giving notice thereof, no vehicle shall be parked upon any of the following described streets:

<i>Street</i>	<i>Description</i>	<i>Side</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Sparks Street	From State Route 3 up to and including intersection with Lee Street	Both	1982-2	5-19-1982

Penalty, see ' 70.99

SCHEDULE II. PARKING RESTRICTIONS.

Parking restrictions for the town are set forth as follows:

<i>Street</i>	<i>Location</i>	<i>Side</i>	<i>Restriction</i>	<i>Ord./Res. No.</i>	<i>Date Passed</i>
State Route 116 (Morse Street)	From State Route 3 (Clark Street) (RM 0+65) to Miller Street (RM 0+73), approximately 425 feet	Both	2-hour parking	OA 2099115	--
State Route 3 (Clark Street)	From State Route 116 (Morse Street) (RM 178+39) to Sparks Street (RM 178+46), approximately 475 feet	Both	2-hour parking	OA 2099115	--

Penalty, see ' 70.99

CHAPTER 76: GOLF CARTS

Section

- 76.01 Definitions
- 76.02 Unlawful operation of a golf cart
- 76.03 Requirement of local registration
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76.01 DEFINITIONS.

For the purpose of this chapter, 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.

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

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

SLOW MOVING VEHICLE REFLECTIVE SIGN. A triangle-shaped reflective sign of the same type required under Indiana law.

STATE HIGHWAY. Any street under the control of and maintained by the State of Indiana and shall include, but not be limited to, U.S. 224 (Legal Street), Ind. 3 (Clark Street), or Ind. 116 (Morse Street).

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 within the corporate limits of the town. **TOWN STREET** includes, but is not necessarily limited to, streets, alleys, roads, highways, and thoroughfares.
(Ord. 2009-6, passed 9-16-2009)

_ 76.02 UNLAWFUL OPERATION OF GOLF CART.

It shall be unlawful to operate a golf cart on any town street except as specifically authorized by this chapter. Any person who operates a golf cart in violation of this chapter shall be subject to penalty as set forth in this chapter.
(Ord. 2009-6, passed 9-16-2009)

_ 76.03 REQUIREMENT OF LOCAL REGISTRATION.

(A) *Local registration required.*

- (1) Any golf cart operated on a town street shall be registered with the Markle Police Department.
- (2) The annual registration certificate will be valid from March 1 until November 30 of the year in which it is issued.
- (3) The then current registration certificate shall be maintained on or about the golf cart at all times that it is in operation.

(B) *Registration fee.*

- (1) Each registrant shall provide the vehicle identification number, and proof of financial responsibility, and shall pay a registration fee of \$25 for each golf cart to be registered for that year or the remaining portion thereof; or
 - (2) A temporary registration may be purchased for a period of time not to exceed five consecutive days for a fee of \$10.
- (Ord. 2009-6, passed 9-16-2009)

_ 76.04 REQUIREMENT OF DRIVER=S LICENSE.

The operator of a golf cart on a town street must have been issued a valid driver's license issued by the State of Indiana or any other state of the United States of America and must possess that license while operating a golf cart.

(Ord. 2009-6, passed 9-16-2009)

_ 76.05 REQUIREMENT OF FINANCIAL RESPONSIBILITY.

No person may operate a golf cart on any town street unless financial responsibility is in effect with respect to the golf cart as provided under I.C. 9-25-4-4, as it now reads or is subsequently amended.

(Ord. 2009-6, passed 9-16-2009)

_ 76.06 TIME OF OPERATION AND NIGHTTIME RESTRICTIONS.

(A) No golf cart shall be operated on a town street between the time of one-half hour before sunset and one-half hour after sunrise unless the golf cart is registered under this chapter and equipped with two headlamps, two tail lamps, front and rear turn lamps, and rear brake lamps, all of which must be visible from a distance of at least 500 feet.

(B) Registered golf carts shall only be operated on town streets between March 1 and November 30 during any calendar year.

(Ord. 2009-6, passed 9-16-2009)

_ 76.07 SLOW MOVING VEHICLE REFLECTIVE SIGN.

No golf cart shall be operated on a town street unless the golf cart is equipped with a properly displayed slow moving vehicle reflective sign clearly visible from behind.

(Ord. 2009-6, passed 9-16-2009)

_ 76.08 PLACE OF OPERATION.

No golf cart shall be operated on or at any of the following:

(A) Any town street or any portion of any town street where the speed limit in effect at the place of operation is greater than 30 miles per hour;

(B) Any town street designated as a state highway (Logan Street, Clark Street, and Morse Street), except to cross any state highway at intersections perpendicular to said state highway.

(C) Any sidewalk, public trail, or public greenway not specifically designated for use by a motor vehicle.
(Ord. 2009-6, passed 9-16-2009)

_ 76.09 TRAFFIC LAWS AND ORDINANCES.

The operator of a golf cart on a town street shall comply with all then effective traffic laws, ordinances, rules and regulations adopted by the State of Indiana and the town.
(Ord. 2009-6, passed 9-16-2009)

_ 76.10 OCCUPANTS.

(A) The number of occupants of a golf cart shall be limited to the lesser of the number of persons for whom factory seating is installed on the golf cart or six persons. The operator and occupants shall be properly seated at all times and no part of the body of the operator or occupants shall extend outside the perimeter of the golf cart while the golf cart is in operation, excepting that the operator shall use proper traffic hand signals when required.

(B) Minor as operator. If the operator of a golf cart is under 18 years of age, no more than two additional persons under the age of 18 are permitted to occupy that golf cart.
(Ord. 2009-6, passed 9-16-2009)

_ 76.11 NO TOWING.

No golf cart shall be used to tow any type of trailer or other vehicle.
(Ord. 2009-6, passed 9-16-2009)

_ 76.12 EXCEPTIONS.

The Markle Police Department shall have the authority to specifically permit the use of golf carts by identified persons at special events without compliance with specifically specified provisions of this chapter, provided however, that the permission must be written, the operator of a golf cart must still be a licensed driver, and financial responsibility must be in effect with respect to the golf cart.
(Ord. 2009-6, passed 9-16-2009)

_ 76.13 REVOCATION OF REGISTRATION AND ELIGIBILITY TO OPERATE GOLF CART.

Any unsafe operation, multiple violations, failure to maintain financial responsibility, or failure to pay fines in accordance to this chapter may, as reasonably determined by the Town Marshal or the Marshal=s authorized designee, result in the revocation by the Markle Police Department of a golf cart registration and the violator's eligibility to operate a golf cart within the Town for up to one calendar year.
(Ord. 2009-6, passed 9-16-2009)

_ 76.99 PENALTY.

(A) Failure to comply with this chapter will result in fines and penalties as follows:

- (1) First offense - \$25 fine;
- (2) Second offense - \$50 fine; and
- (3) Each additional offense - \$100 fine.

(B) An offense is defined as each separate violation of this chapter which occurs while operating a golf cart.
(Ord. 2009-6, passed 9-16-2009)