

TITLE VII: TRAFFIC CODE

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Nappanee - Traffic Code

CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

§ 70.01 TITLE.

This title shall be known as the "Traffic and Parking Laws of the city," and shall regulate the traffic, parking, and use of streets within the city limits.

('83 Code, § 8-1)

§ 70.02 DEFINITIONS.

(A) Whenever any words or phrases used herein are not defined herein, but are defined in the state laws regulating the operation of the vehicles, any definition therein shall be deemed to apply to those words and phrases used herein.

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

Nappanee - Traffic Code

AUTHORIZED EMERGENCY VEHICLE. Police and Fire Department vehicles, city ambulances and emergency vehicles, and vehicles designated or authorized by the Chief of Police to serve as emergency vehicles.

BICYCLE. Every device propelled by human power upon which any person may ride, having tandem wheels, either of which is more than 12 inches in diameter.

BOARD. The Board of Public Works and Safety of the city.

BUSINESS DISTRICT. The territory contiguous to and including a highway when within any 600 feet along that highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet collectively on both sides of the highway.

CENTRAL BUSINESS DISTRICT. All streets and portions thereof within the area described as follows: All that area bounded on the north by the north line of Walnut Street; on the south by the south line of Baltimore & Ohio Railroad right-of-way; on the east by the east line of North and South Elm Street; and on the west by the west line of North and South Clark Street.

COMMERCIAL VEHICLE. Every vehicle designed, maintained, or used primarily for the transportation of property.

CROSSWALK. The part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway, or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other marking on the surface.

CURB LOADING ZONE. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

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

HIGHWAY. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

INDIVIDUAL PARKING SPACE. A portion of the paved surface of the street of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked, as shall be specified and marked off by the Board of Public Works and Safety.

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 the two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict, or where a highway includes two roadways

30 feet or more apart, then every crossing of each roadway of separate *INTERSECTION*. In the event an intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of these highways shall be regarded as a separate *INTERSECTION*.

LANED ROADWAY. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE. Every vehicle which is self-propelled, including farm tractors and implements of husbandry.

MOTORCYCLE. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

OFFICIAL TIME STANDARD. Whenever certain hours are named herein, they shall mean Eastern Standard Time or Daylight Saving Time as may be in current use in this city.

OFFICIAL TRAFFIC-CONTROL DEVICES. All signs, signals, markings, and devices not inconsistent with this code placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

PARKING. The standing of a vehicle upon a street whether that vehicle is occupied or not and whether the vehicle be accompanied or not by an operator for a period of time in excess of two minutes.

PEDESTRIAN. Any person afoot.

PERSON. Extends to and includes: an individual or other entity, including but not limited to, a firm, corporation, limited liability company, partnership, trustee, lessee, or receiver. Whenever used in any clause prescribing and imposing a penalty, the terms *PERSON* or *WHOEVER* as applied to any unincorporated entity shall mean the partners or members thereof, and as applied to corporations, the officers or agents thereof.

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

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

RESIDENCE DISTRICT. The territory contiguous to and including a highway not comprising a business district when the property on that highway for a distance of 300 feet or more is in the main improved with residences and buildings in use for residences.

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

ROADWAY. The portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate **ROADWAYS**, the term **ROADWAY**, as used herein, shall refer to any one **ROADWAY** separately but not to all those **ROADWAYS** collectively.

SAFETY ZONE. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times which set it apart as a **SAFETY ZONE**.

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

STAND or STANDING. The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

STOP. When required, means complete cessation from movement.

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

STREET or HIGHWAY. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

THROUGH HIGHWAY. Every highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrance to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on that highway in obedience to either a stop sign or yield sign when the sign is erected as provided in this title.

TRAFFIC. Pedestrians, vehicles, bicycles, and other conveyances, either singly or together, while using any highway for purposes of travel.

TRAFFIC-CONTROL SIGNAL. Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and proceed.

VEHICLE. Any device in or upon which any person or property is or may be transported upon a public highway, except such as are used exclusively by human power.
(⁸³ Code, § 8-2)

§ 70.03 USE OF GOLF CARTS.

(A) The use of a golf cart upon the streets and alleys of the city is permitted upon satisfaction of the terms and requirements of this section with the specific exception that a golf cart shall not be operated on any highway within the corporate boundaries of the city which is designated as part of the Indiana

State Highway System other than to cross any such state highway at its intersection with a local street under the jurisdiction of the city.

(B) For purposes of this section, the term *GOLF CART* means 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.

(C) A golf cart operated on the streets and alleys of the city shall at all times display either a slow moving vehicle emblem in accordance with I.C. 9-21-9-3 as amended from time to time or an amber flashing lamp in accordance with I.C. 9-21-9-4, as amended from time to time.

(D) A golf cart operated on the streets and alleys of the city shall at all times be operated by an individual who possesses a valid state issue driver's license.

(E) A person shall not operate a golf cart on the streets and alleys of the city if financial responsibility is not in effect with respect to the golf cart. Proof of financial responsibility shall be in accordance with I.C. 9-25-4-4, as amended from time to time. A person who operates a golf cart on the streets and alleys of the city shall at all times maintain the state required minimum amount of financial responsibility for the operation of a motorized vehicle on public rights-of-way.

(F) While operating a golf cart on the streets and alleys of the city, the operator of such cart must follow and obey all traffic laws, whether federal, state or local, including traffic signs.

(G) No golf cart shall be operated on the streets and alleys of the city during any time period when visibility is limited, whether due to darkness, fog, rain, snow or otherwise, unless it is fully equipped with operational headlamps, tail lamps, turn signals and brake lights.

(H) No person shall operate a golf cart unless any and all passengers of said golf cart are seated in a seat attached to the golf cart as manufactured and the number of such passengers shall not exceed the limit of passengers designated by the manufacturer of such golf cart for normal use.

(I) No person shall operate a golf cart so that it impedes or blocks the normal flow of traffic.

(J) No person shall operate a golf cart on any bicycle path or on any sidewalk in the city.

(K) No golf cart shall be operated within the city unless the owner of such golf cart shall have applied for and obtained a valid golf cart permit from the city. Application for such a permit shall be made to the Police Department utilizing the application form as approved from time to time by the Board of Public Works and Safety. The fee for such application shall be \$20 made payable to the City of Nappanee. Such permit shall have an effective length of two years from the date of issuance. In connection with the application for such permit, the owner of the golf cart must present the golf cart for inspection by a member of the Police Department. Upon issuance of a golf cart permit, the golf cart owner shall be provided a decal which must be affixed to the left rear of the golf cart at all times so as to be visible from the rear of the vehicle and left front side quarter panel.

(L) A person or entity may apply for a variance from the application of this section involving the use of a golf cart or golf carts during or in connection with parades and festivals authorized by the city by presenting a petition for such variance to the Board of Public Works and Safety which shall have authority pursuant to this section to determine whether a variance authorizing specific use of such a golf cart or golf carts in connection with such a parade or festival should be issued and to issue such a variance. In the event that the Board of Public Works and Safety shall determine that a variance for such a use should be issued, the Board of Public Works and Safety shall issue a variance for such use with such limitations as the Board of Public Works and Safety shall determine provided that any such variance shall have an effective period of not longer than five days from the effective start date of such variance, as determined by the Board of Public Works and Safety.

(M) A person who violates this section shall on the first offense be fined an amount of \$100. A person who violates this section a second time within a calendar year of the first offense shall be fined the sum of \$250. For each violation over two times in a two year period, a person shall be fined a sum not to exceed \$2,500. Each day of violating this section shall be construed as a separate violation.

(N) All fines collected pursuant to division (M) of this section shall be deposited in the general fund of the City of Nappanee.

(Ord. 1442, passed 9-7-10; Am. Ord. 1462, passed 5-21-12)

ADMINISTRATION AND ENFORCEMENT

§ 70.15 POLICE DEPARTMENT DUTIES.

(A) *Traffic regulations.* It shall be the duty of the Police Department and all of the officers thereof to enforce the street traffic regulations of this city and all of the state vehicle laws applicable to street traffic in this city, to issue citations for traffic violations, to investigate accidents, and to cooperate with other officers of the city in the administration of the traffic laws and development of ways and means to improve traffic conditions, and to carry out those duties specially imposed upon it by this title and the traffic ordinances of the city.

(B) *Parking violations.*

(1) It shall be the duty of police officers acting in accordance with instructions issued by the Board to report:

(a) The date and location of any parking violation;

(b) The state license number of each vehicle in violation;

(c) The time during which the vehicle is parking in violation of any of the provisions of this title; and

(d) The circumstances attending the violation.

(2) The police officer shall also attach to the vehicle a notice to the owner or operator thereof that the vehicle has been parked in violation of a provision of this title and instructing and advising the owner or operator of the total amount of the penalty for that violation and the mode and manner by which the penalty shall be paid.

(`83 Code, § 8-3)

§ 70.16 RECORDS.

(A) *Records of traffic violations.*

(1) The Police Department shall keep a record of all violations of the city traffic ordinances and state vehicle laws of which any person has been charged and the final disposition of all these alleged offenses.

(a) This record shall be so maintained as to show all types of violations and the total of each.

(b) The record shall accumulate during at least a five-year period, and from that time on the record shall be maintained for at least the most recent five-year period.

(2) All forms for records shall be public records.

(`83 Code, § 8-4)

(B) *Traffic accident reports.* The Police Department shall maintain a suitable system of filing traffic accident reports.

(`83 Code, § 8-5)

(C) *Drivers' files to be maintained.*

(1) The Police Department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver which shall be filed alphabetically under the name of the driver concerned.

(2) The Chief of Police shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor and shall take whatever steps are lawful and reasonable to prevent the same or to have the licenses of these persons suspended or revoked.

(3) These records shall accumulate during at least a five-year period and from that time on the records shall be maintained complete for at least the most recent five-year period.

(`83 Code, § 8-6)

(D) *Fee for accident report.* Pursuant to Public Law 174 – House Enrolled Act 1158 – effective July 1, 2006 – Accident Reports – requires all law enforcement agencies to charge a fee for providing accident reports that is fixed by ordinance in an amount not less than \$5:

(1) The Police Department is authorized to charge a fee of \$5 for a photocopy of each accident report furnished upon request to all interested persons, firms, or corporations.

(2) Monies collected shall become a part of the Law Enforcement Continuing Education Fund. ('83 Code, § 4-5) (Am. Ord. 1410, passed 3-19-07)

§ 70.17 ANNUAL TRAFFIC SAFETY REPORT.

(A) The Chief of Police shall annually prepare a traffic report which shall be filed with the Mayor.

(B) This report shall contain information on traffic matters in this city as follows:

(1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;

(2) The number of traffic accidents investigated and other pertinent traffic data on the safety activities of the police; and

(3) The plans and recommendations of the division for future traffic safety activities. ('83 Code, § 8-7)

§ 70.18 CHIEF OF POLICE; TRAFFIC-CONTROL DUTIES.

It shall be the general duty of the Chief of Police to determine the installation and proper timing and maintenance of traffic-control devices, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions, to plan the operation of traffic on the streets and highways of this city, and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this city.

('83 Code, § 8-8)

§ 70.19 EMERGENCY AND EXPERIMENTAL REGULATIONS.

(A) The Chief of Police is empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this city and to make and enforce temporary or experimental regulations in effect for more than 90 days.

(B) The Chief of Police may test traffic-control devices under actual conditions of traffic.
('83 Code, § 8-9)

§ 70.20 VEHICLE INSPECTIONS.

(A) Pursuant to I.C. 9-17 *et seq.* and 9-29 *et seq.* and all acts amendatory thereto, the Police Department is authorized to collect a fee for each vehicle inspected upon the request of any person who owns a vehicle which must be inspected prior to registration in the state.

(B) Each police officer of the city, be he or she a full-time or reserve officer, shall collect a fee as specified in § 38.15 for each inspection, by that officer, of a motor vehicle pursuant to the terms and conditions of I.C. 9-17 *et seq.* and 9-29 *et seq.*, as amended by P.L. 29-1988.

(C) The officer inspecting motor vehicles shall make a record of each inspection upon the requisite application form, as prepared by the Bureau of Motor Vehicles, and shall verify the facts set out in that application for use and benefit of the Bureau of Motor Vehicles.

(D) A receipt shall be issued by the officer to the person requesting the inspection for each fee collected. A copy of each receipt shall be kept on file with the records of the Police Department. The funds received for the motor vehicle inspections shall be remitted once a month to the Clerk-Treasurer of the city.

(E) The Clerk-Treasurer of the city shall keep a permanent record of all funds received from these motor vehicle inspections. The Clerk-Treasurer of the city shall receipt the fees derived from motor vehicle inspections into the Law Enforcement Continuing Education Fund, and the funds thus received shall be designated, with appropriation, only for law enforcement purposes.
('83 Code, § 4-7) (Ord. 939, passed 11-9-83; Am. Ord. 1082, passed 5-16-88)

CHAPTER 71: TRAFFIC RULES

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GENERAL PROVISIONS**§ 71.001 COMPLIANCE WITH TRAFFIC AND PARKING LAWS REQUIRED.**

It is an infraction for any person to do any act forbidden or fail to perform any act required in this title.

(⁸³ Code, § 8-11) Penalty, see § 10.99

§ 71.002 POLICE AND FIRE DEPARTMENT OFFICIALS; AUTHORITY.

(A) It shall be the duty of the officers of the Police Department or those officers as are assigned by the Chief of Police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city.

(B) Officers of the Police Department or those officers as are assigned by the Chief of Police are authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

(C) Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
(`83 Code, § 8-10)

§ 71.003 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS REQUIRED.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.
(`83 Code, § 8-12) Penalty, see § 10.99

§ 71.004 IMMEDIATE NOTICE OF ACCIDENT.

The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of \$750 or more shall immediately, by the quickest means of communication, give notice of that accident to the Police Department if the accident occurs within the city.
(`83 Code, § 8-18)

§ 71.005 APPLICATION TO PUBLIC EMPLOYEES.

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, the state, the county, or the city, and it shall be unlawful for any driver so described to violate any of the provisions of this title except as otherwise permitted in this title or by statutes of the state.
(`83 Code, § 8-15)

EMERGENCY VEHICLES AND EQUIPMENT**§ 71.015 AUTHORIZED EMERGENCY VEHICLES; EXEMPTIONS AND REGULATIONS.**

(A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to, but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(B) The driver of an authorized emergency vehicle may:

(1) Park or stand, irrespective of the provisions of this title;

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for the safe operation of this and other vehicles in the immediate vicinity;

(3) Exceed the maximum 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 specified directions.

(C) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any authorized emergency vehicle, while in motion, sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one 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 the front of the vehicle.

(D) Privately owned vehicles owned and operated by members and officials of the city's Volunteer Fire Department or the city's full-time or volunteer members of the Emergency Medical Services Department and which are equipped with a blue light or green light, respectively, visible 300 feet from the front of the vehicle, shall be deemed to be emergency vehicles during the time of an actual emergency wherein that vehicle is actually en route to the Fire Department Station or emergency medical services building in response to a fire alarm, or en route to the actual location of the fire or other emergency; provided, however, that the operator thereof shall cause to be displayed his or her blue light or green light and in addition thereto he or she may emit audible horn signal.

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

([^] 83 Code, § 8-16)

§ 71.016 VEHICLES APPROACHING AUTHORIZED EMERGENCY VEHICLE.

(A) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this state or as hereinabove related, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(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 highways.
(`83 Code, § 8-17)

§ 71.017 FOLLOWING FIRE APPARATUS PROHIBITED.

No driver of any vehicle other than one on official business may follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park his or her vehicle within the block where fire apparatus has stopped in answer to a fire alarm.
(`83 Code, § 8-52) Penalty, see § 10.99

§ 71.018 CROSSING FIRE HOSE PROHIBITED.

No vehicle shall be driven over any unprotected hose of a Fire Department, when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.
(`83 Code, § 8-53) Penalty, see § 10.99

TRAFFIC-CONTROL DEVICES AND CONTROLLED ZONES

§ 71.030 INSTALLATION AUTHORITY.

The Board of Public Works and Safety shall cause to be placed and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of this city, and make effective the provisions of these ordinances, and may place and maintain additional traffic-control devices and information and warning signs and devices as it may deem reasonably necessary to regulate traffic under the traffic ordinances of this city or under any other law or authority of this state.
(`83 Code, § 8-19)

§ 71.031 MANUAL AND SPECIFICATIONS.

All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the State Highway Commission. All signs and signals required hereunder for a particular purpose shall so far as is practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state laws or this title shall be official traffic-control devices.

(⁸³ Code, § 8-20)

§ 71.032 OBEDIENCE REQUIRED.

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 title unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this title.

(⁸³ Code, § 8-21) Penalty, see § 10.99

§ 71.033 SIGNS; WHEN REQUIRED FOR ENFORCEMENT.

(A) No provision of this title for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation, an official sign is not in proper position and sufficiently visible to be seen by an ordinarily observant person.

(B) Whenever a particular section does not state that signs are required, that section shall be effective even though no signs are erected or in place.

(⁸³ Code, § 8-22)

§ 71.034 TRAFFIC-CONTROL SIGNAL LIGHTS.

(A) Whenever traffic is controlled by traffic-control signals exhibiting different colored lights successively one at a time or with arrows, the following colors only shall be used and these lights shall indicate and apply to drivers of vehicles and pedestrians as follows; provided, however, where pedestrian-control signals are installed and maintained, pedestrians shall only proceed pursuant to those pedestrian-control signals as set forth in § 71.036 of this code.

(B) (1) *Green alone:*

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at that place prohibits either turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles or to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited; and

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) *Yellow steady alone:*

(a) Vehicular traffic facing the signal is thereby warned that the red or stop signal will be exhibited immediately thereafter, and that vehicular traffic shall not enter or be crossing the intersection when the red or stop signal is exhibited; and

(b) No pedestrian facing this signal shall enter the roadway until the green or go signal is shown alone.

(3) *Red steady alone:*

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall there remain until green is shown alone; and

(b) No pedestrian facing this signal shall enter the roadway until the green or go signal is shown alone.

(4) *Red steady with green arrow:*

(a) Vehicular traffic facing this signal may cautiously enter the intersection only to make the movement indicated by the arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection; and

(b) No pedestrian facing this signal shall enter the roadway until the green or go signal is shown alone.

(C) In the event that an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any indicative sign or marking, the stop shall be made at the signal.

('83 Code, § 8-23) Penalty, see § 10.99

§ 71.035 FLASHING SIGNALS.

(A) (1) *Obedience.* Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:

(2) *Flashing red (stop signal).* When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line

when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after stopping at a stop sign.

(B) This section shall not apply at railroad grade crossings. The conduct of drivers of vehicles approaching railroad crossings shall be governed by the rules as set forth in § 71.105 of this code.

(⁸³ Code, § 8-25) Penalty, see § 10.99

§ 71.036 PEDESTRIAN-CONTROL SIGNALS.

Whenever special pedestrian-control signals exhibiting "walk" or "wait" or "don't walk" are in place, these signals shall indicate as follows.

(A) "*Walk.*" Pedestrians facing this signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(B) "*Wait*" or "*don't walk.*" No pedestrian shall start to cross the roadway in the direction of these signals, but any pedestrian who has partially completed his or her crossing on the "walk" signal shall proceed to a sidewalk or safety zone while the "wait" signal is showing.

(⁸³ Code, § 8-24) Penalty, see § 10.99

§ 71.037 UNAUTHORIZED SIGNS, SIGNALS, AND MARKINGS PROHIBITED.

(A) No person shall place, maintain, or display upon or in view of any highway an unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(B) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(C) This section shall be deemed not to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(D) Every herein prohibited sign, signal, or marking is declared to be a public nuisance, and the authority having jurisdiction over the highway is empowered to remove the same or cause it to be removed without notice.

(⁸³ Code, § 8-26) Penalty, see § 10.99

§ 71.038 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES PROHIBITED.

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 thereon, or any other part thereof.

(`83 Code, § 8-27) Penalty, see § 10.99

§ 71.039 PLAY STREETS.

(A) *Authority to establish play street.* The Board shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

(`83 Code, § 8-28)

(B) *Play streets.* Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any street so designated or any portion thereof except drivers of vehicles having business or whose residences are within the closed area, and then any driver shall exercise the greatest care in driving upon any play street or portion thereof.

(`83 Code, § 8-29) Penalty, see § 10.99

§ 71.040 CROSSWALKS AND SAFETY ZONES; DESIGNATION AUTHORITY.

The Board is authorized to designate and maintain by appropriate devices, marks, or lines upon the surface of the roadway crosswalks at intersections where, in its opinion, there is a particular danger to pedestrians crossing the roadway, and at other places as it may deem necessary, and it is authorized to establish safety zones of a kind and character and at those places as it may deem necessary for the protection of pedestrians.

(`83 Code, § 8-30)

§ 71.041 TRAFFIC LANES.

(A) The Board is authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(B) Where traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep that vehicle within the boundaries of any marked lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(`83 Code, § 8-31) Penalty, see § 10.99

SPEED REGULATIONS**§ 71.055 STATE SPEED LAWS APPLICABLE.**

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

(`83 Code, § 8-32) Penalty, see § 10.99

§ 71.056 DECREASE OF MAXIMUM PERMITTED SPEED.

The speed limit for all city streets shall be 25 miles per hour except state and federal highways and such other streets as specified on Schedule I, Chapter 74 of this code.

(`83 Code, § 8-33)

§ 71.057 SPEED REGULATION BY TRAFFIC SIGNALS.

The Board is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner, at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections, and shall erect appropriate signs giving notice thereof.

(`83 Code, § 8-34)

§ 71.058 SPEED LIMITS ON SCHOOL PROPERTIES.

(A) The maximum speed of any and all motor vehicles in and upon any public road, way, parking lot, or other school property within the jurisdiction of the city shall be 25 miles per hour.

(B) Appropriate signs as prescribed by the Bureau of Motor Vehicles of the state shall be posted and displayed in and upon all public roads, ways, and parking lots in and upon school properties within the jurisdiction of the city, and as they may advise all members of the public that the maximum speed allowed by law is 25 miles per hour.

(C) The Police Department of the city shall patrol and enforce the speed regulations in and upon the stated public school properties including, but not limited to, speeding regulations and other traffic laws and statutes applicable thereto, all as prescribed by the state laws.

(`83 Code, § 8-35) Penalty, see § 10.99

TURNING MOVEMENTS**§ 71.070 TURNING AT INTERSECTION; METHOD.**

The driver of a vehicle intending to turn at an intersection shall do so as follows.

(A) *Right turns.* Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.

(B) *Left turns on two-way roadways.* At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of that centerline where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the right of the center intersection.

(C) *Left turns on other than two-way roadways.* At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at the intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of the vehicle, and after entering the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in that direction upon the roadway being entered.

(`83 Code, § 8-36)

§ 71.071 TURNING MARKERS AND INDICATIONS.

(A) The Board is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at those intersections, and the course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

(B) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of those indications.

(`83 Code, § 8-37) Penalty, see § 10.99

§ 71.072 RESTRICTED TURN SIGNS.

The Board is authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn and shall place proper signs at those intersections. The making of these turns may

be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or they may be removed when these turns are permitted.
(`83 Code, § 8-38)

§ 71.073 COMPLIANCE WITH RESTRICTED TURN SIGNS REQUIRED.

Whenever authorized signs are erected indicating that no right, left, or U-turn is permitted, no driver of a vehicle shall disobey the directions of any sign so indicating.
(`83 Code, § 8-39) Penalty, see § 10.99

ONE-WAY STREETS AND ALLEYS

§ 71.085 DESIGNATING SIGNS REQUIRED.

Whenever any ordinance of this city designates any one-way street or alley, the Board shall place and maintain signs giving notice thereof, and no one-way regulation shall be effective unless the signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
(`83 Code, § 8-40)

§ 71.086 TRAFFIC DIRECTION RESTRICTED.

Upon those streets and parts of streets and in those alleys described in Chapter 74, Schedule II of this code, 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.
(`83 Code, § 8-41)

§ 71.087 TEMPORARY ONE-WAY TRAFFIC DESIGNATION AUTHORIZED.

(A) The Board is authorized to determine and designate streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The Board may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the roadway.

(B) It shall be unlawful for any person to operate any vehicle in violation of the markings, signs, barriers, or other devices so placed in accordance with this section.
(`83 Code, § 8-42) Penalty, see § 10.99

STOPS AND YIELDS**§ 71.100 DESIGNATED THROUGH STREETS; SIGNS AND SIGNALS REQUIRED.**

The Board of Public Works and Safety shall place and maintain a stop sign at such street intersections as shall be deemed necessary for purposes of safety and traffic flow.

(`83 Code, § 8-44)

Cross-reference:

Designated Through Streets, see Chapter 74, Schedule III

§ 71.101 STOP SIGNS; STANDARDS.

(A) Every stop sign shall bear the word "stop" in letters not less than eight inches in height.

(B) Every stop sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway.

(`83 Code, § 8-46)

§ 71.102 APPROACHING STOP INTERSECTION.

Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching an intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

(`83 Code, § 8-47)

§ 71.103 EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING.

The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop his or her vehicle immediately prior to driving onto a sidewalk or onto a sidewalk area extending across any alley way or driveway, and shall yield 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 that roadway.

(`83 Code, § 8-49)

§ 71.104 STOP WHEN TRAFFIC OBSTRUCTED.

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 vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

(⁸³ Code, § 8-50) Penalty, see § 10.99

§ 71.105 APPROACHING TRAIN; STOP AT RAILROAD CROSSING.

(A) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of that 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 do so safely.

(B) The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives a warning of the immediate approach of a railroad train;

(2) A crossing gate is lowered or a human flagperson gives or continues to give a signal of the approach or passage of a railroad train; or

(3) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing.

(C) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while that gate or barrier is closed or being opened or closed.

(⁸³ Code, § 8-51) Penalty, see § 10.99

ADDITIONAL DRIVING RULES**§ 71.120 FUNERAL AND OTHER PROCESSIONS.**

(A) No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when those vehicles are conspicuously designated by a funeral flag and by operating with headlights on.

(B) This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(⁸³ Code, § 8-54) Penalty, see § 10.99

§ 71.121 PROCESSION DRIVING.

Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practicable and follow the vehicle ahead as close as is practicable and safe.
(^83 Code, § 8-55)

§ 71.122 PROCESSION PERMISSION REQUIREMENT.

No procession or parade containing 25 or more persons or five or more vehicles, except the forces of the U.S. Defense Department or the forces of the Police and Fire Departments, shall occupy, march, or proceed along any street except in accordance with special permission of the Board of Public Works and Safety.
(^83 Code, § 8-56) Penalty, see § 10.99

§ 71.123 DRIVING ON SIDEWALK PROHIBITED.

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.
(^83 Code, § 8-57) Penalty, see § 10.99

§ 71.124 RESTRICTIONS ON BACKING.

The driver of a vehicle shall not back the same unless that movement can be made with reasonable safety and without interfering with other traffic.
(^83 Code, § 8-58) Penalty, see § 10.99

§ 71.125 OPENING VEHICLE DOORS.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle for a period of time longer than necessary to load or unload passengers.
(^83 Code, § 8-59) Penalty, see § 10.99

§ 71.126 RIDING ON MOTORCYCLES.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless that motorcycle is designed to carry more than one person, in which event a passenger may ride

upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.

(`83 Code, § 8-60) Penalty, see § 10.99

§ 71.127 LOAD RESTRICTIONS ON CERTAIN HIGHWAYS.

No person shall operate any vehicle with a gross weight in excess of 7,000 pounds upon any street, alley, boulevard, roadway, or highway in the city, and including all roadways, streets, or lanes in the parks of the city, but must operate the vehicle only upon state or U.S. routes, designated and marked as such, or a city truck route, especially designated and marked as such, excepting however, that these vehicles may be operated on city streets for the purpose of delivering or picking up materials or merchandise or entering or leaving a terminal in the city, and then only by entering the city street, alley, boulevard, roadway, or highway at the intersection with a state, U.S., or city truck route nearest to the point of designation or origination and proceeding thereon no farther than the nearest state, U.S., or city truck intersection thereafter.

(`83 Code, § 8-98) Penalty, see § 10.99

CHAPTER 72: PEDESTRIANS AND NON-MOTORIZED VEHICLES

Section

Pedestrians

- 72.01 Obedience to traffic-control signals
- 72.02 Obedience to railroad crossing signals
- 72.03 Crosswalk right-of-way
- 72.04 Use right half of crosswalk
- 72.05 Crossing outside crosswalk; pedestrian to yield
- 72.06 Crossing in business districts restricted
- 72.07 Pedestrians along roadways
- 72.08 Soliciting rides or business restricted
- 72.09 Drivers to exercise due care

Non-Motorized Vehicles

- 72.20 Bicycles; light and license tag required
- 72.21 Push carts, animals, and animal drawn vehicles
- 72.22 Use of rollerskates, coasters, and the like restricted
- 72.23 Clinging to vehicle prohibited
- 72.24 Skateboards defined
- 72.25 Skateboards; prohibited areas
- 72.26 Skateboard violations; community service

Bicycle and Pedestrian Pathway

- 72.40 Application
- 72.41 Vehicles restricted on pathway
- 72.42 Littering prohibited
- 72.43 Alcoholic beverages prohibited
- 72.44 Loitering prohibited

Cross-reference:

- Crosswalks and safety zones; designation authority, see § 71.040*
- Pedestrian-control signals, see § 71.036*
- Play streets, see § 71.039*
- Traffic-control signal lights, see § 71.034*

PEDESTRIANS**§ 72.01 OBEDIENCE TO TRAFFIC-CONTROL SIGNALS.**

Pedestrians shall be subject to traffic-control signals as declared in §§ 71.034 and 71.036 of this code, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this subchapter.

(`83 Code, § 8-62)

§ 72.02 OBEDIENCE TO RAILROAD CROSSING SIGNALS.

No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing while that gate or barrier is closed or is being opened or closed.

(`83 Code, § 8-67) Penalty, see § 10.99

§ 72.03 CROSSWALK RIGHT-OF-WAY.

(A) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be, so as to yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(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.

(C) Division (A) above shall not apply under the conditions stated in § 72.05(B) of this code.

(D) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk 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 that stopped vehicle.

(`83 Code, § 8-63) Penalty, see § 10.99

§ 72.04 USE RIGHT HALF OF CROSSWALK.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(`83 Code, § 8-64)

§ 72.05 CROSSING OUTSIDE CROSSWALK; PEDESTRIAN TO YIELD.

(A) 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.

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way.

(C) The foregoing rules in this section have no application under the conditions stated in § 72.06 of this code when pedestrians are prohibited from crossing at certain designated places.
(^83 Code, § 8-65)

§ 72.06 CROSSING IN BUSINESS DISTRICTS RESTRICTED.

No pedestrian shall cross a roadway other than in a crosswalk in any business district.
(^83 Code, § 8-66) Penalty, see § 10.99

§ 72.07 PEDESTRIANS ALONG ROADWAYS.

(A) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(B) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.
(^83 Code, § 8-68) Penalty, see § 10.99

§ 72.08 SOLICITING RIDES OR BUSINESS RESTRICTED.

(A) No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

(B) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked on a street or highway.
(^83 Code, § 8-69) Penalty, see § 10.99

§ 72.09 DRIVERS TO EXERCISE DUE CARE.

Notwithstanding the foregoing provisions of this subchapter, every 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.

(`83 Code, § 8-70)

NON-MOTORIZED VEHICLES

§ 72.20 BICYCLES; LIGHT AND LICENSE TAG REQUIRED.

(A) No bicycle shall be ridden on any street, alley, or highway within the city during the period between 30 minutes after sunset and 30 minutes before sunrise, unless that bicycle is equipped with a lamp, which shall throw a light sufficient to light up the way at least 100 feet in the direction in which the bicycle is proceeding.

(B) Any person or persons who violates this section shall be fined.

(C) All bicycle owners within the city shall carry a license tag on same as shall be prescribed by the Chief of Police, and the cost of the tag shall be as specified in § 38.15 and shall be issued by the Chief of Police.

(`83 Code, § 8-101) Penalty, see § 10.99

§ 72.21 PUSH CARTS, ANIMALS, AND ANIMAL DRAWN VEHICLES.

Every person propelling any push cart or riding an animal upon a roadway and every person driving any animal drawn vehicle shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which by their very nature can have no application.

(`83 Code, § 8-13)

§ 72.22 USE OF ROLLERSKATES, COASTERS, AND THE LIKE RESTRICTED.

(A) No person upon rollerskates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing that person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(B) This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this city.

(`83 Code, § 8-14) Penalty, see § 10.99

§ 72.23 CLINGING TO VEHICLE PROHIBITED.

No person riding upon any bicycle, coaster, rollerskates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.
(`83 Code, § 8-61) Penalty, see § 10.99

§ 72.24 SKATEBOARDS DEFINED.

For the purpose of §§ 72.24 through 72.26, the following definition shall apply unless the context clearly indicates or requires a different meaning.

SKATEBOARDS AND OTHER SIMILAR DEVICES. Any non-motorized object which contains wheels and is propelled by an individual for purposes of transporting that individual any distance. This description shall include, but not be limited to, skateboards, rollerskates, cross-country skis with wheels, and rollerblades. For purposes of §§ 72.24 through 72.26, the term shall specifically exclude bicycles, wheelchairs, and any device propelled by an animal.
(`83 Code, § 6-51) (Ord. 1159, passed 10-5-92)

§ 72.25 SKATEBOARDS; PROHIBITED AREAS.

The use of a skateboard or other similar device is prohibited in that area of the city which is described in Chapter 74, Schedule IV.
(`83 Code, § 6-52) (Ord. 1159, passed 10-5-92) Penalty, see § 10.99

§ 72.26 SKATEBOARD VIOLATIONS; COMMUNITY SERVICE.

The penalty for an individual's first, second, or subsequent offense under §§ 72.24 through 72.26 shall be a fine. Alternatively, the penalty for any offense under these provisions may be a sentence to perform community service in a form to be designated by the enforcing court, with the period of time for that community service to be not in excess of 20 hours for any one offense.
(`83 Code, § 6-53) (Ord. 1159, passed 10-5-92) Penalty, see § 10.99

BICYCLE AND PEDESTRIAN PATHWAY

§ 72.40 APPLICATION.

This subchapter shall refer and apply to the city's Bicycle and Pedestrian Pathway, a public way, which is identified on the map that is attached to Ord. 1316 and is hereby made a part hereof.
(Ord. 1316, passed 8-6-01)

§ 72.41 VEHICLES RESTRICTED ON PATHWAY.

No automobiles, trucks, all terrain vehicles, motorcycles, mopeds, snowmobiles, two-wheeled motorized scooters, horses, or animal drawn vehicles of any kind, other than vehicles associated with a utility or municipal purpose, shall be utilized on the Bicycle and Pedestrian Pathway.

(Ord. 1316, passed 8-6-01) Penalty, see § 10.99

§ 72.42 LITTERING PROHIBITED.

There shall be no littering on or from the premises of the Bicycle and Pedestrian Pathway.

(Ord. 1316, passed 8-6-01) Penalty, see § 10.99

§ 72.43 ALCOHOLIC BEVERAGES PROHIBITED.

There shall be no alcoholic beverages allowed on the Bicycle and Pedestrian Pathway. No individual shall possess any alcoholic beverage in an open container on the Bicycle and Pedestrian Pathway. Nothing in this section shall override or contradict § 97.23 of this code which provides that "No person shall bring dangerous drugs, beer, ale, or other alcoholic beverages into any park, or consume, have in possession, sell, give away, or handle dangerous drugs or intoxicating or alcoholic beverages in any park street."

(Ord. 1316, passed 8-6-01) Penalty, see § 10.99

§ 72.44 LOITERING PROHIBITED.

(A) No loitering on the premises of the Bicycle and Pedestrian Pathway shall be allowed.

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

LOITERING. Any gathering that disrupts or could disrupt the flow of traffic on the Bicycle and Pedestrian Pathway.

(Ord. 1316, passed 8-6-01) Penalty, see § 10.99

CHAPTER 73: PARKING REGULATIONS

Section

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GENERAL PARKING RESTRICTIONS**§ 73.01 STOPPING, STANDING, PARKING; PROHIBITED PLACES.**

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

- (A) On a sidewalk;
 - (B) In front of a public or private driveway;
 - (C) Within an intersection;
 - (D) Within 15 feet of a fire hydrant;
 - (E) On a crosswalk;
 - (F) Within 20 feet of a crosswalk at an intersection;
 - (G) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 - (H) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the City Council indicates a different length by signs or markings;
 - (I) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of that entrance; or
 - (J) Within 50 feet of the nearest rail of a railroad crossing.
- (⁸³ Code, § 8-71) Penalty, see § 10.99

§ 73.02 PARKING NEAR FIRE HYDRANTS PROHIBITED.

It shall be unlawful for any person, firm, or corporation to park or permit to stand any vehicle in or on any public street in close proximity to any fire hydrant within the city, and where notice is given to the public by appropriate signs, markings painted on the curb in the vicinity of the fire hydrant, or by those means of notification and identification to the public of restriction and prohibition of parking

in these places as the Board of Public Works and Safety of the city may, from time to time, prescribe and determine.

(^83 Code, § 8-83) Penalty, see § 10.99

§ 73.03 OBSTRUCTION OF STREET TRAFFIC PROHIBITED.

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

(^83 Code, § 8-72) Penalty, see § 10.99

§ 73.04 PARKING IN ALLEYS; OBSTRUCTION PROHIBITED.

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

(^83 Code, § 8-73) Penalty, see § 10.99

§ 73.05 STREET PARKING; 48-HOUR LIMIT.

No person shall park a vehicle on any street for a continuous period of time longer than 48 hours.

(^83 Code, § 8-74) Penalty, see § 10.99

§ 73.06 PARKING PURPOSES RESTRICTED.

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

(^83 Code, § 8-75) Penalty, see § 10.99

§ 73.07 PARKING ADJACENT TO SCHOOLS.

(A) The Council is authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when parking would, in its opinion, interfere with traffic or create a hazardous situation.

(B) When official signs are erected indicating no parking upon either side of a street adjacent to any school as authorized herein, no person shall park a vehicle in any thus designated place.

(^83 Code, § 8-76) Penalty, see § 10.99

§ 73.08 PARKING ON NARROW STREETS RESTRICTED.

(A) The Council is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by the signs when the width of the roadway does not exceed 30 feet.

(B) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any signed street in violation of any official sign.

(`83 Code, § 8-77) Penalty, see § 10.99

§ 73.09 PARKING ON ONE-WAY STREETS.

The Council is authorized to erect signs upon the left hand side of any one-way street to prohibit the standing or parking of vehicles, and when these signs are in place, no person shall stand or park a vehicle upon the left hand side in violation of any sign.

(`83 Code, § 8-78) Penalty, see § 10.99

§ 73.10 UNLAWFUL ACTS.

(A) It shall be unlawful and a violation of the provisions of this chapter for any person to cause, allow, permit, or suffer any vehicle registered in the name of or operated by that person to be parked overtime or beyond the period of legal parking time established for any parking space as herein described.

(B) It shall be unlawful for any person, persons, firm, or corporation to park or permit to stand any vehicle in or on any public alley within the limits of the city or to park or permit to stand any vehicle in any public street or public way or place where the parking of vehicles is prohibited and where notice is given to the public by appropriate signs, markings painted upon the curbs in the vicinity of the prohibited place, or by other means of notification and identification to the public of the restriction and prohibition of that place as the Board of Public Works and Safety may from time to time prescribe and determine.

(C) It shall be unlawful and a violation of this chapter for any person to cause, allow, permit, or suffer any vehicle in the name of, or operated by that person, to be parked in a manner so that more than one individual parking space or parts of two or more individual parking spaces are occupied by that vehicle. Any parking of a vehicle in a manner which causes the vehicle or any part thereof to occupy two or more, or parts of two or more individual parking spaces shall be prima facie evidence of the unlawful parking of that motor vehicle by its owner and/or operator.

(`83 Code, § 8-84) Penalty, see § 10.99

§ 73.11 PARKING MOBILE HOMES, SEMI-TRAILERS, AND THE LIKE RESTRICTED.

(A) No mobile home, semi-trailer, or vehicle or combination of vehicles joined together, the overall length of which is greater than 30 feet, and no vehicle or combination of vehicles joined together, the overall width of which at the widest point is greater than eight feet, shall be parked or stopped upon the public streets, roadways, or thoroughfares of the city. For the purpose of determining vehicle length or width under this section, any cargo or equipment loaded upon or attached to the vehicle shall be considered a part of the vehicle.

(B) Notwithstanding the provisions of division (A) of this section, the Board of Public Works and Safety of the city may, upon proper application by the owner or proprietor of the vehicle, grant parking privileges to or for a vehicle otherwise prohibited from parking, to park at that place on that public street, highway, or thoroughfare in the city as may be approved by the Board.

(C) (1) Notwithstanding the provisions of division (A) of this section, this type of vehicle may be parked or stopped on a public street, highway, or thoroughfare within the city and as may be necessary for the purpose of making a local pickup or delivery of goods, wares, and merchandise, but for a reasonable time only for that purpose.

(2) In the event that this type of vehicle is disabled or immobilized, the vehicle may be parked or stopped for a reasonable time only as may be necessary until the same may be removed or until assistance in its removal may be secured.

(^ 83 Code, § 8-95) Penalty, see § 10.99

§ 73.12 PARKING UNLICENSED VEHICLES PROHIBITED.

No person shall park an unlicensed vehicle or a vehicle without a valid license plate attached thereto at any time upon any street, highway, or roadway in the city.

(^ 83 Code, § 8-96) Penalty, see § 10.99

§ 73.13 PROHIBITED PARKING AREAS.

(A) *Prohibited parking area.* Except as otherwise provided in this section:

(1) It shall be unlawful to park a vehicle in a front yard, in a side yard on the street side of a corner lot, or in a rear yard that abuts a street.

(2) It shall be unlawful to park a vehicle over any part of the sidewalk or curb that is parallel to the public way, including the part of the sidewalk that is part of a driveway.

(B) *Exceptions.* For the purposes of this section, parking shall not be prohibited in the following areas:

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(1) An improved area in the prohibited parking area used as a parking space before this section is adopted, provided that the entrance to the approved area is via a driveway or curb cut, except where adjacent to a paved street where there is no curb.

(2) Parking in any portion of the driveway that may be located in the front yard, rear yard, or side yard, except the portion that is part of the sidewalk.

(3) Parking within ten feet of the edge of the street where no curb is present, within the existing right-of-way, and in an improved area.

(4) Any improved area meeting setback requirements and other applicable zoning provisions. The Zoning Department must determine compliance with all such improved areas.

(5) Parking in a front yard, side yard or rear yard for the purpose of unloading a vehicle, washing a vehicle or some other similar purpose. The vehicle, however, must be removed from the front yard, side yard or rear yard once the task is completed.

(6) With regard to recreational vehicles those areas in which recreational vehicles are allowed to park pursuant to Section 5.5 C of Unified Zoning and Subdivision Control Ordinance.

(7) Those areas in which vehicles can be placed for sale pursuant to Section 4.5 D of the Unified Zoning and Subdivision Control Ordinance.

(8) In conjunction with special events (reunions, birthday parties, graduations, anniversaries, or like events) an owner of the property may obtain a permit from the Zoning Administrator which may permit parking of vehicles on yards and which would otherwise be prohibited by this section. The permit should be valid for a period of ten hours which would allow vehicles to be parked in yards for this period with no violation. The owner of the premise shall be entitled to six permits per calendar year.

(C) Restrictions for parking in rear yards.

(1) Any vehicle parked or stored in the rear yard shall be screened from view of public streets or neighboring properties.

(2) Vehicles measuring less than eight feet in height shall be screened with a minimum six-foot high fence or approved screening material. Vehicles measuring in excess of eight feet in height shall be screened with an eight-foot high fence or approved screening material. In cases where vehicles exceed eight feet in height the maximum required height of a screening fence shall not exceed eight feet. Vegetation material used for screening may exceed eight feet in height.

(D) Definitions.

CITY. City of Nappanee, Indiana.

CODE ENFORCEMENT OFFICER. Any employee of the city whose assigned duties include the enforcement of one or more of the provisions of this Code.

DRIVEWAY. A passageway for vehicles, approved by the Code Enforcement Officer composed of concrete, asphalt, or gravel that serves to connect a public street or alley to a garage or legal parking space. Legal parking areas shall be limited to 35% of the total front yard with a maximum driveway width of 30 feet at the frontage with the applicable street or alley.

FRONT YARD. The horizontal space between the nearest foundation of a building to the front lot line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the front lot line. The front yard of a corner lot shall be that yard abutting the street upon which the lot has its least frontage, except as deed restrictions may otherwise specify.

IMPROVED AREA. A section of the lot that has been altered and defined by concrete, asphalt, or gravel, with a positive boundary, for the means of providing a parking space for a vehicle. The improved area must be entered via a driveway or curb cut, except where adjacent to a paved street or alley where there is no curb.

REAR YARD. The horizontal space between the nearest foundation of a building to the rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the nearest foundation to the rear lot line. The rear yard of a corner lot shall be that yard at the opposite end of the opposite end of the lot from the front yard.

SCREENING MATERIAL. Any plant material maintaining its foliage year round (example evergreens) of sufficient density determined by the Code Enforcement Officer, or approved wood, vinyl or opaque fencing material approved by the Code Enforcement Officer. No chain link fence is a permitted use for screening purposes.

SIDE YARD. The horizontal space between the nearest foundation of a building to the side lot line and that side lot line, unoccupied other than by architectural appurtenances projecting not more than 24 inches into that space; steps or terraces not higher than the level of the first floor of the building; and open lattice-enclosed fire escapes, fireproof outside stairways and balconies projecting not over 24 inches into that space.

VEHICLE. A device in, upon, or by which a person or property is, or may be, transported or drawn upon a street, alley or highway.

(E) *Enforcement; citation; penalty.*

(1) The Code Enforcement Administrator or his designee, or any officer of the Police Department may enforce the provisions of this section. The preceding authorized persons shall be known as officer for the purposes of this section.

(2) An officer may issue a citation for a violation of this section, subjecting the violator to a fine up to \$250 for each violation. The citation shall be placed in a prominent place upon the vehicle. Each day the vehicle remains unlawfully parked shall constitute a separate violation.

(3) The citation shall be filed with the City of Nappanee Court or with any court of the competent jurisdiction in Elkhart or Kosciusko County.

(4) For the purposes of this section, the violator shall be the person to whom the unlawfully parked vehicle is registered.
(Ord. 1407, passed 12-4-07)

DESIGNATED PARKING SPACES AND LOADING ZONES

§ 73.25 INDIVIDUAL PARKING SPACES; DESIGNATION AND USE.

(A) The Board of Public Works and Safety is authorized, empowered, and directed to cause to be marked off and designated those individual parking spaces as the Board shall deem proper along the streets, designated in Chapter 75, Schedule I, in the congested area from time to time for the parking of vehicles. At any place where individual parking spaces are marked off and designated, each vehicle shall thereafter be parked within an individual parking space.
(`83 Code, § 8-81)

(B) Notice to the public shall be given by appropriate signs setting forth the length of time for which parking is permitted and the conditions thereof. Any vehicle which remains in an individual parking space after the prescribed time for parking is determined to be illegally parked.
(`83 Code, § 8-82)
Penalty, see § 10.99

§ 73.26 DESIGNATED BUS STOPS AND TAXICAB STANDS AUTHORIZED.

The Board is authorized to establish bus stops, bus stands, and taxicab stands on public streets in those places and numbers as it shall determine to be of the greatest benefit and convenience to the public, and every bus stop, bus stand, or taxicab stand shall be designated by appropriate signs or markings.
(`83 Code, § 8-87)

§ 73.27 PUBLIC OFF-STREET PARKING LOT; RESTRICTIONS.

(A) The public off-street parking lot described in Chapter 75, Schedule II is designated as a public off-street parking lot and for use by all members of the public and for automobiles and other vehicles from and between the hours of 5 a.m. and 9 p.m. only.

(B) The public off-street parking lot described in Chapter 75, Schedule II is closed and unavailable for use by any member of the public from and between 9 p.m. and until 5 a.m. (local times prevailing), and no automobile or other vehicle shall enter in and upon the described parking lot during those times when use is prohibited.

(C) Notwithstanding the provisions of this section, the Board of Public Works and Safety of the city may, upon proper application therefor, grant parking privileges or other uses to or for persons or vehicles as would otherwise be prohibited from parking or using the described off-street parking lot and as may be approved by the Board.

(^ 83 Code, § 8-97) Penalty, see § 10.99

PARKING RESTRICTIONS IN DESIGNATED AREAS

§ 73.40 APPLICATION.

The provisions of this chapter prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic-control device.

(^ 83 Code, § 8-88)

§ 73.41 REGULATIONS NOT EXCLUSIVE.

The provisions of this chapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

(^ 83 Code, § 8-89)

§ 73.42 DESIGNATED NO PARKING ZONES.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any street or portions thereof, the descriptions of which are on file in the Clerk-Treasurer's office.

(^ 83 Code, § 8-90) Penalty, see § 10.99

§ 73.43 DESIGNATED NO STOPPING ZONES; RESTRICTED HOURS.

(A) When signs are erected in each block giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified in the schedule on file in the Clerk-Treasurer's office of any day, except as otherwise provided herein, within the district or upon any of the streets or parts thereof.
(`83 Code, § 8-91)

(B) The Board is authorized to erect signs indicating no stopping, standing, or parking during certain hours when stopping, standing, or parking during certain hours would, in its opinion, interfere with traffic or create a hazardous situation.

(C) When signs are erected in each block giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified on that sign.
(`83 Code, § 8-93) Penalty, see § 10.99

§ 73.44 DESIGNATED NO PARKING ZONES FOR MAINTENANCE.

(A) The Board shall designate certain hours on certain streets when parking shall be prohibited in order that those streets may be cleaned and swept. The Board shall publicly announce through the signs and markings not less than six hours in advance the hours and date on which parking is to be prohibited on certain streets for the purpose of cleaning and sweeping those streets.

(B) The Board shall be authorized and empowered to prohibit parking on certain streets for the purpose of repairing those streets. The affected streets or portions thereof shall be blocked off prior to the initiation of work by barriers placed at all entrances thereto.

(C) No person shall park a vehicle on these streets in violation of this section.
(`83 Code, § 8-92) Penalty, see § 10.99

§ 73.45 DESIGNATED LIMITED TIME PARKING.

(A) The Board is authorized to erect signs indicating the parking time limit on certain streets or portions thereof.

(B) When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than the period of time designated on that sign.
(`83 Code, § 8-94) Penalty, see § 10.99

§ 73.46 STOPPING IN DESIGNATED HAZARDOUS OR CONGESTED AREAS PROHIBITED.

(A) The Board is authorized to determine and designate areas by proper signs and/or appropriate markings not exceeding 300 feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(B) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any thus designated place.
(`83 Code, § 8-79) Penalty, see § 10.99

Cross-reference:

Congested traffic areas, see Chapter 75, Schedule I
Individual parking spaces, see § 73.25

ADMINISTRATION AND ENFORCEMENT

§ 73.60 PAYMENT OF PENALTY.

(A) Any person who violates any of the provisions of this chapter or who aids, abets, or assists therein, shall, upon conviction thereof, be fined.

(B) Violations shall be paid to the Ordinance Violations Bureau as addressed in Chapter 36 of this code.
(`83 Code, § 8-85)

(C) Any penalty not paid on the date of the violation as heretofore related shall constitute a separate violation for each day succeeding the date of the violation.
(`83 Code, § 8-86) (Ord. 1100, passed 4-17-89) Penalty, see § 10.99

§ 73.61 VEHICLE IMPOUNDMENT; AUTHORITY; PROCEDURE.

(A) Members of the Police Department are authorized to remove a vehicle from an alley, street, or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the Police Department, or otherwise maintained by this city, at owner's expense under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any bridge, viaduct, or causeway where that vehicle constitutes an obstruction to traffic;

(2) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal; or

(3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(B) Whenever an officer removes a vehicle from a street as authorized in this section, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, the officer shall immediately give or cause to be given notice in writing to the owner of the fact of that removal and the reasons therefor, and of the place to which the vehicle has been removed. In the event any removed vehicle is stored in a public garage, a copy of this notice shall be given to the proprietor of that garage.

(C) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner, the officer shall immediately send or cause to be sent a written report of the removal by mail to the Bureau of Motor Vehicles whose duty it is to register motor vehicles, and shall file a copy of that notice with the proprietor of any public garage in which the vehicle may be stored. The notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for the removal, and the name of the garage or place where the vehicle is stored.

(⁸³ Code, § 8-100)

CHAPTER 74: TRAFFIC SCHEDULES

Schedule

- I. Speed limits
- II. One-way streets and alleys
- III. Designated through streets
- IV. Skateboards prohibited area

SCHEDULE I. SPEED LIMITS.

(A) The maximum speed limit shall be 20 miles per hour as set forth on those streets or parts of streets herein designated at the times herein specified when signs are erected giving notice thereof.

<i>Street</i>	<i>Speed Zone Boundaries</i>
East John Street	From and between Main Street and Summit Street
Indiana Avenue	From and between Vernon Street and Nappanee Street
Lincoln Street	From and between Madison Street and Williams Street
North Main Street	From and between Walnut Street and John Street
North Summit Street	From and between Main Street and Nappanee Street
Park Drive	From and between Main Street and Nappanee Street
South Main Street	From and between Indiana Avenue and the south corporate limits of the city
West Randolph Street	From and between Main Street and Nappanee Street
West Wabash Street	From and between Main Street and Nappanee Street

(B) Altered speed limits are as follows:

<i>Street</i>	<i>Cross Streets</i>	<i>Speed (miles per hour)</i>
Arnott	US 6 and city limit	30

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<i>Street</i>	<i>Cross Streets</i>	<i>Speed (miles per hour)</i>
Cheyenne	Arnott and Tomahawk	30
Deleware	Cheyenne and US 6	30
Nappanee	Van Buren and Park	15
Oakland	CR 54 and US 6	30
Oakland	US 6 and city limit	30
Oakland	Woodview Drive and CR 54	40
Tomahawk	US 6 and city limit	30
Woodview	McCormick Drive and Oakland	40
Woodview	SR 19 and McCormick Drive	30

('83 Code, § 8-33)

Cross-reference:

Speed Regulations, see §§ 71.055 through 71.058

SCHEDULE II. ONE-WAY STREETS AND ALLEYS.

Upon those streets and parts of streets, and in those alleys hereafter described, 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>Location</i>	<i>Traffic Direction</i>
First alley east of Main Street	Between Lincoln Street and Market Street	North
First alley west of Main Street	Between Lincoln Street and Walnut Street	North
100 block of North Elm Street	East Market Street to Walnut Street	North
100 block of South Elm Street	East Market Street to Lincoln Street	South
<p>Note: The north/south alley east of Main Street has no signs. There are signs in the north/south alley west of Main Street.</p>		

(83 Code, § 8-41) Penalty, see § 10.99

Cross-reference:

One-Way Streets and Alleys, see §§ 71.085 through 71.087

Parking on one-way streets, see § 73.09

SCHEDULE III. DESIGNATED THROUGH STREETS.

The following streets and parts of streets described below are declared to be through streets for the purpose of this title.

<i>Street</i>	<i>Through Street Portion</i>
Main Street	From north city limits to Market Street
Main Street	From south city limits to Market Street
Marion Street	From North Elm Street to Summit Street
Marion Street	From Summit Street to Morningside Drive
Market Street	From east city limits to Main Street
Market Street	From west city limits to Main Street
North Nappanee Street	From West Van Buren Street to West Market Street
North Summit Street	From East Market Street to Stauffer Park Entrance
South Nappanee Street	From West Market Street to Indiana Avenue
West Lincoln Street	From South Main Street to Nappanee Street
West Lincoln Street	From Nappanee Street to Williams Street

('83 Code, § 8-43)

Cross-reference:

Stops and Yields, see §§ 71.100 through 71.105

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SCHEDULE IV. SKATEBOARDS PROHIBITED AREA.

(A) The use of a skateboard or other similar device is prohibited in that area of the city which is described as being bounded as follows:

From the corner of Elm Street and Walnut Street west to the corner of Walnut Street and Clark Street, thence south on Clark Street and Clark Street extended to the CSX Railroad right-of-way, thence east along the CSX Railroad right-of-way to Elm Street extended, thence north on Elm Street extended and Elm Street to the corner of Elm Street and Walnut Street, which is the point of beginning.

(B) For purposes of determining the specific prohibited area, the prohibited area shall include all streets running along the boundary together with all sidewalks and public rights-of-way running along those streets.

(83 Code, § 6-52) (Ord. 1159, passed 10-5-92) Penalty, see § 10.99

Cross-reference:

Clinging to vehicle prohibited, see § 72.23

Skateboards and similar devices, see §§ 72.24 through 72.26

Use of rollerskates, coasters, and the like restricted, see § 72.22

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CHAPTER 75: PARKING SCHEDULES

Schedule

- I. Congested traffic areas
- II. Public off-street parking lot
- III. Special parking conditions
- IV. No parking zones

SCHEDULE I. CONGESTED TRAFFIC AREAS.

(A) For the purpose of this title, the congested traffic areas of the city are declared to be and are as follows.

<i>Street</i>	<i>Congested Traffic Area</i>
Clark Street	Between Walnut Street on the north and Lincoln Street on the south
Lincoln Street	Between Clark Street on the west and Elm Street on the east
Main Street	Between Walnut Street on the north and the Baltimore & Ohio right-of-way on the south
Market Street	Between Clark Street on the west and Elm Street on the east
Walnut Street	Between Clark Street on the west and Elm Street on the east

(B) The City Council determines, declares, and ordains that because of the flow of traffic on the streets or portions of streets within the above areas that parking therein shall be subject to the provisions of this title.

('83 Code, § 8-80)

Cross-reference:

Individual parking spaces, see § 73.25

Stopping in designated hazardous or congested areas prohibited, see § 73.46

SCHEDULE II. PUBLIC OFF-STREET PARKING LOT.

The public off-street parking lot described below is designated as a public off-street parking lot and for use by all members of the public and for automobiles and other vehicles from and between the hours of 5 a.m. and 9 p.m. only.

<i>Public Off-Street Parking Lot</i>	<i>Location Description</i>
At the southwest corner of West Market and South Clark Streets	Lot Number Five as that lot is known and designated on the plat of the original town, now city
At the northwest corner of Elm and Lincoln Street	—
At the northwest corner of Main and Clark Street	—
At the northeast corner of market and Clark Street	—
The lot north of the train depot	—
The 100 block of West Walnut Street behind 151 North Clark Street	—
The 200 block of West Lincoln Street behind 206 West Lincoln Street	—

('83 Code, § 8-97)

Cross-reference:

Public off-street parking lot; restrictions, see § 73.27

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SCHEDULE III. SPECIAL PARKING CONDITIONS.

Special parking conditions are as established below:

<i>Street</i>	<i>Block or cross streets</i>	<i>Side</i>	<i>Stipulation</i>
Elm Street	Market Street to Walnut Street	Both	10 minute parking
Guise Street	Market Street to Van Buren Street	Both	No parking Monday through Friday
Lincoln Street	2 spaces in front of 151 East Lincoln	South	15 minute parking
Madison Street	Lincoln Street to railroad crossing	East	No parking except Sunday and Holidays
Intersection of U.S. Highway 6 and Indiana State Road 19	4 square block area enclosed and bounded by Clark Street, Lincoln Street, Elm Street and Walnut Street	Both	Permit authorized parking location between 5:00 p.m. and 8:00 a.m.

(Ord. 1479, passed 3-17-14)

SCHEDULE IV. NO PARKING ZONES.

No parking zones are as established below:

<i>Street</i>	<i>Block or cross streets</i>	<i>Side</i>
Andrews Street	Williams Street to dead end	Both
Arnott Street	Market Street to 300 block of Arnott Street	Both
Centennial Street	Summit Street to Elm Street	South
Centennial Street	Rosenberger Street to Main Street	South
Clark Street	Park Drive to Walnut Street	West
Delaware Street	Market Street to Cheyenne Street	East
Elm Street	Indiana Avenue to Wabash Street	West
Elm Street	Wabash Street to Randolph Street	East
Elm Street	Market Street to Lincoln Street	East
Franklin Street	M-Dee Acres	Both
Hartman Street	Walnut Street to Market Street	West
Hartman Street	Marion Street to Walnut Street	West
Hartman Street	Hartman Knoll to Broad Street	West
Indiana Avenue	Williams Street to Main Street	South
Indiana Avenue	Madison Street to Main Street	South
Jackson Street	Wabash Street to railroad crossing	West
Jackson Street	Market Street to Walnut Street	West
Jackson Street	M-Dee Acres	Both
Jessica Court	Indiana Avenue to dead end	East
Lincoln Street	Metzler Street to Williams Street	South
Lincoln Street	Elm Street to 400 East Lincoln Street	North
Lincoln Street	Miriam Street to 500 block of East Lincoln	South

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<i>Street</i>	<i>Block or cross streets</i>	<i>Side</i>
Lincoln Street	In front of 1202 East Lincoln Street	North
Locke Street	In front of 155 South Locke Street	East
Locke Street	Market Street to Lincoln Street	West
Locke Street	Walnut Street to 500 block North Locke Street	East
Madison Street	Randolph Street to the railroad crossing	East
Madison Street	Indiana Avenue to Randolph Street	West
Madison Street	Randolph Street to railroad crossing	East
Madison Street	John Street to ½ block north of Walnut Street	West
Maple Street	Heritage Parkway	West
Marion Street	Main Street to Summit Street	North
Metzler Street	Market Street to Lincoln Street	East
Miriam Street	Stahley Street to Lincoln Street	East
Miriam Street	Lincoln Street to Market Street	Both
Miriam Street	Market Street to Derksen Drive	Both
Nappanee Street	Randolph Street to Lincoln Street	Both
Nappanee Street	Lincoln Street to Market Street	West
Nappanee Street	Van Buren Street to Market Street	West
Park Drive	Nappanee Street to Main Street	South
Pleasant Acres	Andrews Street to dead end	West
Randolph Street	Nappanee Street to Main Street	South
Randolph Street	In front of 207 Randolph Street	North
Randolph Street	Main Street to Madison Street	Both
Randolph Street	Williams Street to Pleasant Acres	Both
Rosenberger Street	Walnut Street to Van Buren Street	West
Rosenberger Street	Market Street to Walnut Street	East

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<i>Street</i>	<i>Block or cross streets</i>	<i>Side</i>
Summit Street	Market Street to railroad crossing	East
Summit Street	Van Buren Street to Marion Street	East
Summit Street	Market Street to Walnut Street	Both
Van Buren Street	Main Street to Madison Street	South
Van Buren Street	Nappanee Street to Main Street	South
Walnut Street	In front of 1203 East Walnut Street	South
Walnut Street	Madison Street to Highland Street	South
Williams Street	Market Street to Lincoln Street	East
Williams Street	Randolph Street to Indiana Avenue	East
Williams Street	Market Street to Walnut Street	East

