

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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PARKING IN GENERAL

§ 70.01 TRUCK OR OTHER VEHICLE PARKING.

No vehicle of an overall length of more than 20 feet or of an overall width of more than 7 feet, 6 inches shall park or be allowed to remain parked in, on or along any alleys, streets or highways within the Town of Ossian unless the driver of the vehicle is actually engaged in delivering or unloading an item from the truck, in which case the truck shall be allowed to remain parked in a manner so as to pose the least impediment to the free flow of traffic in the street or alley and, if so parked, may remain parked for a period not exceeding 1 hour. In addition, a vehicle as described above, may be allowed to stop for a 2-hour period for purposes of rest, relaxation or limited commerce. The time limitation contained herein shall not apply to private commercial trucks involved in loading or unloading items of personal property in connection with the relocation of a family or individual residence.

(Ord. 85-7-1, passed 7-9-1985) Penalty, see § 70.99

§ 70.02 “NO PARKING” SIGNS.

(A) *Adoption.* The Town of Ossian, in addition to the existing traffic signs and devices, hereby adopts a traffic sign known and designated as a "No Parking" sign, and authorizes the use thereof at certain areas as may be designated by resolution of the Town Council of the Town of Ossian, from time to time.

(B) *Alley parking.* No person shall park any vehicle in any alley unless the driver of the vehicle is actually engaged in delivering or unloading an item from the vehicle, in which case the vehicle shall be allowed to remain parked in a manner so as to pose the least impediment to the free flow of traffic in the street or alley and, if so parked, may remain parked for period not exceeding 1 hour.

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

(D) *Limited parking zones.* When appropriate signs conforming to the requirements of this section are erected no person shall park a vehicle on the side of the street or for any continuous period of time longer than the designated posted sign.

(E) *Private parking signs.* No person shall place any sign along or on any street or alley or designate any place thereon with the intent to regulate or prevent the parking of vehicles on any street or alley.

(F) *Restricted parking.* When appropriate signs conforming to the requirements of this section are erected no person shall stop, stand or park a vehicle other than as specified.

(G) *Parking restrictions generally and for stated periods of time.* The Town Council may, by resolution or ordinance, designate additional restrictions or areas as to parking, including the prohibition of parking in designated areas for certain periods of time. Additional restrictions shall be in full force and effect from the time of the erection of appropriate signs.

(H) *Section supplementary.* This section shall be deemed to be supplementary and in addition to, and not a repeal of, any existing ordinance of this Town of Ossian.
(Ord. 04-6-3, passed 8-9-2004) Penalty, see § 70.99

§ 70.03 RESTRICTIONS.

The Town Council authorizes the erection and use of “No Parking” signs on East Mill Street on the south side of the street from the corner of Maxine Street and East Mill Street to 6 feet east of the existing drive of the property located at 604 East Mill Street.

(Ord. 2009-2-4, passed 2-23-2009)

VEHICLES INCLUDING RECREATIONAL VEHICLES, CAMPERS, AND BOATS**§ 70.31 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Except where the context indicates otherwise, the singular includes the plural, and the masculine gender includes the feminine, and the following mean:

BOAT. Any watercraft used or capable of being used as a means of transportation on the water.

CAMPER. A structure designed to be mounted upon a motor vehicle, and is not permanently attached thereto, and is designed to provide facilities for human habitation, or for camping.

COMMERCIAL VEHICLE. Any vehicle having more than two axles, or any single commercial vehicle or combination of vehicles which exceed 22 feet in length, any single commercial vehicle or combination of vehicles 84 inches or more in width, or any single commercial vehicle or combination vehicles having a manufacturer's gross vehicle weight rating of 15,000 pounds or more. ***COMMERCIAL VEHICLE*** does not include a large motor vehicle as defined herein.

LARGE MOTOR VEHICLE. Pickup trucks with camper or other vehicle that measures 84 inches or more in width and more than 84 inches in height or more than 22 feet in length. ***LARGE MOTOR VEHICLE*** does not include a commercial vehicle or non-motorized vehicle as defined herein.

PERSON. Every natural person, firm, partnership, association, or corporation, whether he or it is acting for himself, herself, itself, or as the clerk, servant, employee, or agent of another.

RECREATIONAL VEHICLE. A vehicle with or without motive power, which is designed for human occupancy and to be used temporarily for recreational, seasonal, or emergency purposes, including any camper mounted upon a motor vehicle.

TOWN. The town of Ossian.

TOWN COUNCIL. The governing body of the town.

TRAILER. Any piece of machinery designed to be towed by a vehicle.

VEHICLE. Any wheeled conveyance, whether motor powered or animal drawn, but excluding human propelled. The term includes any trailer in tow in any size, kind, or description. Exception is made for vehicles in the service of the town.

(Ord. 2009-4-4, passed 4-27-2009)

§ 70.32 OFFENSES; VIOLATIONS.

(A) It shall be unlawful for any person to commit, or allow to be committed, with any vehicle including recreational vehicles, campers and boats under their control any of the following:

(1) Parking of any vehicle, including recreational vehicles, trailer and boats, on or across any portion of a sidewalk, except as expressly allowed for by ordinance.

(2) Parking of a recreational vehicle, camper, trailer, or boat on a town street.

(3) Parking of a wrecked, inoperative, or not currently licensed vehicle, including recreational vehicles and boats on any town street at any time.

(4) Parking within 10 feet of a fire hydrant.

(5) Parking in a "NO PARKING" zone that has been designated by the town and posted as prescribed by the town.

(6) Parking of a vehicle of an overall length of more than 20 feet or of an overall width of more than 7 feet, 6 inches, shall park or be allowed to remain parked in, on, or along any alleys, streets, or highways within the town unless the driver of the vehicle is actually engaged in delivering or unloading from the truck, in which case such truck shall be allowed to remain parked in such a manner as to pose the least impediment to the free flow of traffic in the street or alley and, if so parked, may remain parked for a period not exceeding 1 hour. In addition, a vehicle as described above may be allowed to stop for a 2-hour period for purposes of rest, relaxation, or limited commerce. The time limitation contained herein shall not apply to private commercial trucks involved in loading or unloading items of personal property in connection with relocation of a family or individual residence.

(7) Parking of a vehicle, recreational vehicle, camper, boat, or trailer on a town street to make any mechanical repairs.

(8) Parking of an unattended vehicle, boat, trailer, recreational vehicle, or camper on a town street, or public property, that has any part thereof suspended by a vehicle jack, or any unstable device.

(9) Placing a camper or boat on a town street at any time, when not mounted on a motor vehicle.

(10) Parking a recreational vehicle on a town street.

(B) No person in a park shall:

(1) Drive any vehicle on any area except gravel or paved park roads, parking areas, or other such areas as may on occasion be specifically designated as temporary parking by an elected official, Town Manager, or designee.

(2) Park a vehicle in other than an established parking area or other such areas as may on occasion be specifically designated as temporary parking by an elected official, Town Manager, or designee.

(3) Double park any vehicle on any road or parkway unless directed by an elected official, Town Manager, traffic officer, or designee.

(Ord. 2009-4-4, passed 4-27-2009) Penalty, see § 70.34

§ 70.33 EXCEPTIONS.

The town recognizes that the strict enforcement of this subchapter may place an undue hardship on some residents. Therefore, the Council authorizes the Town Manager or the designee of the Town Manager to review any requests to park an RV for a period of no more than 5 days in a 30-day period. Such requests will be accompanied by a written request from the owner of the RV identifying the license and VIN of the RV, the reason for the extended parking requests, and the dates requested for the extended parking. The RV must also be parked on the street area within the confines of the requesting RV owner's lot on which that owner resides. The street area available for parking of the RV shall be defined as the side lot lines being extended into the street right-of-way in the same bearing and direction. In no case shall an RV be parked on the street in excess of 5 days in a 30-day period. RVs parked on the street beyond the 5-day period shall again be subject to this subchapter.

(Ord. 2009-4-4, passed 4-27-2009) Penalty, see § 70.34

§ 70.34 FINES.

Any person that violates any provisions of this subchapter shall be fined in accordance with Chapter 35 of this code not less than \$25.00 for the first offense, not less than \$50.00 for the second offense, and not less than \$100.00 for all subsequent violations. Each day the violation is allowed to exist constitutes a separate chargeable violation.

(Ord. 2009-4-4, passed 4-27-2009)

§ 70.35 REMOVAL OF VEHICLE.

In addition to the foregoing penalty, any police officer, upon discovering any vehicles parked or stopped, in violation of this subchapter, may remove the vehicle or cause the same to be removed to any garage where such vehicle shall be released only upon payment for the cost of towing such vehicle away from the place where it was illegally parked or stopped, together with costs of storage.

(Ord. 2009-4-4, passed 4-27-2009)

§ 70.36 SEVERABILITY.

If any section, provision, clause, sentence, or paragraph of this subchapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other sections, provisions, clauses, or paragraphs of this subchapter which can be given effect without the invalid provision or application, and to this end the provisions of this subchapter are declared to be severable. (Ord. 2009-4-4, passed 4-27-2009)

§ 70.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person, firm or corporation violating any of the provisions of § 70.01, upon conviction thereof, shall be fined for each violation any sum not exceeding \$300. In addition to the foregoing penalty, any police officer, upon discovering any vehicles parked or stopped, in violation of § 70.01, may remove the vehicle or cause the same to be removed to any garage where the vehicle shall be released only upon payment for the cost of towing the vehicle away from the place where it was illegally parked or stopped, together with costs of storage. (Ord. 85-7-1, passed 7-9-1985)

(C) Any person who shall violate any of the provisions of § 70.02 shall be fined as a class D infraction, and this section is to be enforced under the terms of I.C. 34-28-5-1. (Ord. 04-6-3, passed 8-9-2004)

(D) Any person who shall violate any of the provisions of §§ 70.31 through 70.36 shall be fined as set forth in § 70.34.

CHAPTER 71: TRAFFIC SCHEDULES

Schedule

Sch I. Stop signs

SCHEDULE I. STOP SIGNS.

The town, in addition to the existing traffic signs and devices, hereby adopts a traffic sign known and designated as a "stop" sign, and authorizes the use thereof at intersections as may be designated by resolution of the Town Council, from time to time. Each of the signs shall be erected as near as practicable to the nearest line of the cross-walk on the nearest side of the intersection, or if there is no cross-walk, then as near as practicable to the nearest line of the intersecting roadway, and shall be of sufficient height so as to be readily visible to motorists approaching the controlled intersection. The driver of a vehicle approaching a stop sign shall stop before entering the cross-walk on the near side of the intersection, or, in the event there is no cross-walk at a clearly marked stop line, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Any person who shall violate any of the provisions of this schedule shall be subject to the provisions of violations of the state statutes, I.C. 9-21-8-32 and 34-28.

<i>Sign On</i>	<i>At Intersection Of</i>
Blakewood Court	Maxine Drive
Brook Court	Eagle Court
Crestview Drive	Diane Drive
Dehner Drive	Parking lot of Ossian Plaza
Evergreen Court	Brook Court
Heatherwood Lane	Davis Road
Homestead Avenue	Bittersweet Lane
Morton Lane	Maxine Drive
Ridge Court	Brook Court

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<i>Sign On</i>	<i>At Intersection Of</i>
Ridge Court	Diane Drive
Shady Lane	Highland
Siebold Street	Lafever Street

(Ord. 96-8-1, passed 8-13-1996; Res. 96-8-2, passed 8-13-1996; Res. 98-4-3, passed 4-13-1998; Res. 2000-9-8, passed 9-11-2000; Res. 03-6-1, passed 6-9-2003; Am. Res. 03-11-3, passed 11-10-2003; Am. Res. 05-8-1, passed 9-12-2005; Am. Res. 10-1-1, passed 1-25-2010; Am. Res. 12-10-1, passed 10-8-2012)

CHAPTER 72: RESERVED

CHAPTER 73: GOLF CARTS

Section

- 73.01 Definitions
- 73.02 Unlawful operation of a golf cart
- 73.03 Requirement of local registration
- 73.04 Requirement of driver's license
- 73.05 Requirement of financial responsibility
- 73.06 Time of operation and nighttime restrictions
- 73.07 Slow moving vehicle reflective sign
- 73.08 Place of operation
- 73.09 Traffic laws and ordinances
- 73.10 Occupants
- 73.11 No towing
- 73.12 Exceptions
- 73.13 Revocation of registration and eligibility to operate golf cart

- 73.99 Penalty

§ 73.01 DEFINITIONS.

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

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

GOLF CART. A 4-wheeled motor vehicle originally and specifically designed and intended to transport 1 or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

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

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

STATE HIGHWAY. Any street under the control of and maintained by the state and shall include but not be limited to State Road 1.

TOWN STREET. The entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel within the corporate limits of the town. **TOWN STREET** includes but is not necessarily limited to streets, alleys, roads, highways, and thoroughfares.
(Ord. 2009-7-1, passed 7-14-2009)

§ 73.02 UNLAWFUL OPERATION OF A GOLF CART.

It shall be unlawful to operate a golf cart on any town street except as specifically authorized by this chapter. Any person who operates a golf cart in violation of this chapter shall be subject to penalty as set forth in this chapter.

(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.03 REQUIREMENT OF LOCAL REGISTRATION.

(A) *Local registration required.*

(1) Any golf cart operated on a town street shall be registered at the town Police Department.

(2) The annual registration certificate will be valid from March 1 until November 30 of the year in which it is issued.

(3) The then current registration certificate shall be maintained on or about the golf cart at all times that it is in operation.

(B) *Registration fee.*

(1) Each registrant shall provide the vehicle identification number and proof of financial responsibility and shall pay a registration fee of \$25 for each golf cart to be registered for that year or the remaining portion thereof; or

(2) A temporary registration may be purchased for a period of time not to exceed 5 consecutive days for a fee of \$10.

(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.04 REQUIREMENT OF DRIVER'S LICENSE.

The operator of a golf cart on a town street must have been issued a valid driver's license issued by the state or any other state and must possess that license while operating a golf cart.
(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.05 REQUIREMENT OF FINANCIAL RESPONSIBILITY.

No person may operate a golf cart on any town street unless financial responsibility is in effect with respect to the golf cart as provided under IC 9-25-4-4, as it now reads or is subsequently amended.
(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.06 TIME OF OPERATION AND NIGHTTIME RESTRICTIONS.

No golf cart shall be operated on a town street between the time of 1/2 hour after sunset and 1/2 hour before sunrise unless the golf cart is registered under this chapter and equipped with 2 headlamps, 2 tail lamps, front and rear turn lamps, and rear brake lamps, all of which must be visible from a distance of at least 500 feet.
(Ord. 2009-7-1, passed 7-14-2009; Am. Ord. 13-2-1, passed 2-11-2013) Penalty, see § 73.99

§ 73.07 REQUIREMENT OF SLOW MOVING VEHICLE SIGN.

No golf cart shall be operated on a town street unless the golf cart is equipped with a properly displayed slow moving vehicle reflective sign clearly visible from behind.
(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.08 PLACE OF OPERATION.

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

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

(B) Any town street designated as a state highway (Jefferson Street), except to cross any state highway at intersections perpendicular to the state highway.

(C) Any sidewalk, public trail, or public greenway not specifically designated for use by a motor vehicle.

(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.09 TRAFFIC LAWS AND ORDINANCES.

The operator of a golf cart on a town street shall comply with all then effective traffic laws, ordinances, rules, and regulations adopted by the state and the town.

(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.10 OCCUPANTS.

(A) *Number and placement.* The number of occupants of a golf cart shall be limited to the lesser of the number of persons for whom factory seating is installed on the golf cart or 6 persons. The operator and occupants shall be properly seated at all times, and no part of the body of the operator or occupants shall extend outside the perimeter of the golf cart while the golf cart is in operation, except that the operator shall use proper traffic hand signals when required.

(B) *Minor as operator.* If the operator of a golf cart is under 18 years of age, no more than 2 additional persons under the age of 18 are permitted to occupy that golf cart.

(C) *Infants prohibited.* No one under the age of 2 years shall be permitted as an occupant of a golf cart on a town street.

(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.11 NO TOWING.

No golf cart shall be used to tow any type of trailer or other vehicle.

(Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.12 EXCEPTIONS.

(A) Upon receipt of written authorization from the Ossian Days Board, golf carts operated in connection with the town's annual Ossian Days street fair shall be exempted from specifically specified requirements of this chapter for operation within the confines of that portion of the downtown in which fair activity is taking place, except that the operator of a golf cart must still be a licensed driver and financial responsibility must be in effect with respect to the golf cart.

(B) The town Police Department shall have the authority to specifically permit the use of golf carts by identified persons at other special events without compliance with specifically specified provisions of this chapter, provided, however, that the permission must be written, the operator of a golf cart must still be a licensed driver, and financial responsibility must be in effect with respect to the golf cart. (Ord. 2009-7-1, passed 7-14-2009) Penalty, see § 73.99

§ 73.13 REVOCATION OF REGISTRATION AND ELIGIBILITY TO OPERATE GOLF CART.

Any unsafe operation, multiple violations, failure to maintain financial responsibility, or failure to pay fines in accordance to this chapter may, as reasonably determined by the Police Chief or the Police Chief's authorized designee, may result in the revocation of a golf cart registration and the violator's eligibility to operate a golf cart within the town for up to 1 calendar year. (Ord. 2009-7-1, passed 7-14-2009)

§ 73.99 PENALTY.

(A) Failure to comply with this chapter will result in fines and penalties as follows: first offense, \$25 fine; second offense, \$50 fine; and each additional offense, \$100 fine.

(B) An offense is defined as each separate violation of this chapter which occurs while operating a golf cart. (Ord. 2009-7-1, passed 7-14-2009)

