

ORDINANCE NO. 2007-05

AN ORDINANCE REGULATING THE PARKING OF VEHICLES WITHIN THE
CORPORATE LIMITS OF THE TOWN OF WOLCOTT

ARTICLE I: PARKING REGULATIONS

- 1.1 **NO PARKING WHERE POSTED.** No person shall stop, stand or park a vehicle upon the public streets of the town at any place where official signs or where appropriate devices, marks or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit such acts.
- 1.2 **LIMITED PARKING.** No person shall stop, stand or park a vehicle upon the public streets of the Town where official signs are erected limiting the parking time thereon, for a period of time in excess of the time as designated by the official signs.
- 1.3 **PARKING ENCROACHMENT ONTO STREET OR ALLEY.** No person shall park any vehicle upon a street or in an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, nor shall any person stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.
- 1.4 **DESIGNATION OF AREAS FOR ANGLE PARKING.**
- (a) The town marshal shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal aid or state highway within the town unless the state highway department has determined by resolution or order, entered in its minutes, that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
 - (b) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.
- 1.5 **MANNER OF PARKING IN ANGLE PARKING SPACE.**
Upon those streets which have been signed or marked by the town marshal for angle parking pursuant to section 1.4, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. The vehicle must enter the parking space with a forward movement.
- 1.6 **DESIGNATION OF NO PARKING ZONES.**
- (a) Where the town marshal has determined that a no parking zone should be created under standards and in accordance with the terms of this chapter, the no parking zone may be designated by painting the curb yellow or red. A yellow or red painted curb shall be considered the equivalent of a posted sign designating a no parking zone.
 - (b) Any person parking a motor vehicle in a no parking zone either designated by a posted sign or by yellow or red painted curbs shall be liable for improper parking pursuant to the provisions of this chapter.
- 1.7 **DRIVING OR PARKING ON SIDEWALK**
The driver of a vehicle shall not drive within any sidewalk area except to cross a permanent or temporary driveway. No vehicle shall be parked across a sidewalk or driveway blocking the safe passage of pedestrians.
- 1.8 **PARKING IN GRASSY AREAS.** No registered or unregistered vehicle shall be parked in grassy areas of front or side yards of private property where a driveway is not located for more than 12 hours at a time.
- 1.9 **OTHER PARKING RESTRICTIONS.** The Town Council may order the placing of signs, devices, marks or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, the stopping or parking of vehicles would unduly interfere with the free movement of traffic thereon. The signs,

devices, marks or painting shall be official signs, devices, marks or painting and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicted thereby.

2.0 PARKING FOR PERSONS WITH PHYSICAL DISABILITY.

- a) Definition. For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

PERSON WITH A PHYSICAL DISABILITY. Any person who has been issued a placard or special registration plate or decal for a motor vehicle by the State Bureau of Motor Vehicles under IC 9-14-5, 9-18-18, 9-18-22, or the law of another state.

- b) Parking Prohibited. It shall be unlawful for any person to park a motor vehicle, motorcycle, moped, bicycle or other vehicle of any nature, which does not have displayed a placard for a person with a physical disability issued under the laws of this state or the laws of another state, in a parking space reserved for a vehicle of a person with a physical disability.

It shall be unlawful for a person to knowingly park in a parking space reserved for a person with a physical disability while displaying a placard to which neither the person nor the person's passenger is entitled.

- c) Violation. If any vehicle is parked unlawfully in violation of any of the provisions of this section, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held, prima facie, responsible for the violation.
- d) Towing. In addition to any fines which may be given as a result of violations of this section, any vehicle which is parked in a manner in violation of this section may be towed to an area designated by the Town at the owner's expense. The owner shall also be required to pay any and all storage fees resulting from this action.

3.0 PARKING RESTRICTIONS WITH SNOW ACCUMULATION.

In order to keep certain critical thoroughfares clear and passable in order to preserve the security and safety of residents of the Town, the Town Council may designate certain streets as emergency snow routes. Such routes shall be identified by official signs designating such routes. No person shall stop, stand or park a vehicle upon any such identified street of the Town when snowfall exceeds two inches. Violations will result in vehicles being towed.

4.0 TRUCK PARKING REGULATIONS.

- a) It shall be unlawful for any tractor-trailer unit or truck tractor or trailer to stand or park on any street or thoroughfare in the residential sections of the Town for a period of time longer than is reasonably necessary to load or unload cargo.
- b) It shall be unlawful for any truck larger than a 3/4-ton capacity to park in a residential section of town for a period longer than 12 hours at a time. Parking a truck in front of one's own house is excluded from this section.

5.0 VEHICLES LEAKING FLUIDS.

No person shall stop, stand or park a vehicle upon the public streets, walks, or alleyways of the town if doing so results in dripping or leaking of any fluid such as, but not limited to, lubricant, fuel, coolant or pollutant, whether from the vehicle itself or from its cargo, onto the surface of any such street, walk or alley.

6.0 PENALTY.

Any person, firm or corporation who violates any provision of this chapter for which another penalty is not specifically provided shall, upon condition, be subject to a fine

not exceeding \$100. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

7.0 OTHER ORDINANCES OR STATUTES:

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency. Provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinance or parts of ordinance are hereby ratified, re-established, and confirmed.

7.1 CONSTRUCTION OF CLAUSE HEADINGS. The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.

7.2 SEVERABILITY OF PROVISIONS. If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.

7.3 DURATION AND EFFECTIVE DATE. This ordinance shall be in full force and effect beginning July 1, 2007 from and after its passage by the Council of the Town of Wolcott, and publication according to the laws of the State of Indiana.

Introduced and Filed on the 15th day of May, 2007. A motion to consider same on the First Reading or day of introduction was sustained by a vote of 3 in Favor and 0 Opposed, pursuant to Indiana Code 36-4-6-13).

DULY PASSED AND ADOPTED this 15th day of May, 2007 by the Council of the Town of Wolcott, White County, Indiana, having been passed by a vote 3 in Favor and 0 Opposed.

AYE

NAY

Not in Attendance
Robin D. Hensler, Council President

Robin D. Hensler, Council President

Marsha L. Mackey, Member

Marsha L. Mackey, Member

Danny L. Sheets, Member

Danny L. Sheets, Member

Jon H. Evans, Member

Jon H. Evans

Richard A. Lynn, Member

Richard A. Lynn, Member

ATTEST:

Linda S. Bajzatt, IAMC, CMC
Clerk-Treasurer