

**TITLE 15**  
**VEHICLES AND TRAFFIC**

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**Chapters:**

- 15.04 Operating motor vehicles**
- 15.06 Stop intersections**
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- 15.32 Vehicles with metal wheels or lugs upon streets prohibited**

## Chapter 15.04

### OPERATING MOTOR VEHICLES

#### Sections:

- 15.04.010 Definitions**
- 15.04.020 Unlawful areas for a motor vehicle to remain**
- 15.04.025 Unlawful areas for a motor vehicle to be parked or remain**
- 15.04.030 Penalty for violation**
- 15.04.040 Authority to tow-away vehicles**
- 15.04.050 Emergency vehicles**
- 15.04.060 Commercial motor vehicles making pick-ups or deliveries**
- 15.04.070 Commercial motor vehicles used for construction or repair**
- 15.04.080 Temporary parking**

**15.04.010 Definitions.** For the purposes of the ordinance:

- (1) The phrase "motor vehicle" shall mean any self-propelled device in, upon or by which a person or property may be transported upon a street, except such as may operate upon rails and except commercial motor vehicles;
- (2) The phrase "commercial motor vehicle" shall mean any semi-trucks, truck-tractors, farm tractors, road tractors, semi-trailers, pull trailers and all other vehicles with over a one ton rating;
- (3) The word "street" shall mean any public street, avenue, road, highway, alley or other traveled way or any public right of way located within the Town of Milltown;
- (4) The word "person" shall mean and include any individual, firm, partnership or corporation;
- (5) The word "operator" shall mean and include any individual who operates a motor vehicle or commercial motor vehicle;
- (6) The word "parking" shall mean the stopping or standing of a motor vehicle or commercial motor vehicle upon a street other than momentarily for the purpose of admitting or discharging a passenger or cargo, or for the purpose of complying with traffic control devices;

- (7) The phrase "parking space" shall mean a part of a street and or municipal parking lot of sufficient size to accommodate a motor vehicle or commercial motor vehicle as is now or shall be marked by the Town of Milltown on any street or municipal parking lot therein;
- (8) The phrase "handicapped parking space" shall mean a parking space on a street or in a municipal parking lot which is reserved for the parking of a motor vehicle owned or operated by a handicapped person, and which space is posted with the official international wheelchair symbol, or reasonable facsimile; or otherwise designated as a handicapped parking space;
- (9) The phrase "owner" of a vehicle or commercial motor vehicle means the person in whose name a certificate of title for such vehicle has been issued by an authorized governmental agency, provided, that if such person is deceased then the ownership of the vehicle shall be determined by other law but may include the personal representative of an estate;
- (10) The phrase "fire lane" shall mean and refer to an area in a privately owned or public parking lot running along any building or structure which is now or hereafter marked as such;
- (11) The phrase "no-parking zone" shall mean a portion of a street next to a curb which is now or hereafter is painted yellow by the Town of Milltown or to a portion of a street which is now or hereafter marked by a no-parking sign or both;
- (12) The phrase "reserved area" shall mean and refer to a parking space or parking spaces on a street which has been reserved by a particular business with the approval of the Town Council for the use of customers, clients, shoppers, owners or employees, and which is clearly posted as such by a sign designating said reserved area, and at a distance to be determined by the said Town Council;
- (13) The phrase "loading zone" shall mean and refer to a parking space or parking spaces on a street which is reserved for loading and unloading, and which is clearly posted as such by a sign designating such loading zone area;
- (14) The parking of a motor vehicle or commercial motor vehicle by one other than the owner shall be deemed to have been permitted by the owner and the owner shall be equally liable for any violations of this ordinance except in such situations as where the one operating the motor vehicle or commercial motor vehicle does so without the consent of the owner and the owner takes all action necessary to

hold such operator criminally liable and convicted therefore; (Ord. 2004.P.1, S1, July 12, 2004)

**15.04.020 Unlawful areas for a motor vehicle to remain.** It shall be unlawful for the operator of a motor vehicle or commercial motor vehicle to permit a vehicle to remain in:

- (1) a no-parking zone;
- (2) a fire lane or adjacent to a fire hydrant;
- (3) a reserved area or loading zone when the operator is not entitled to do so as an owner, employee, customer, shopper or client of the lessee of the reserved area or loading zone;
- (4) a handicapped parking space without displaying a handicapped person's or disabled veteran's placard or a special handicapped or disabled veteran's license registration plate;
- (5) any area in violation of the posted time limit;
- (6) the wrong direction of the traffic flow of the street;
- (7) an area which blocks a private driveway, sidewalk or crosswalk, or;
- (8) an area which obstructs the flow of traffic;
- (9) any parking space without a current license plate properly displayed thereon;
- (10) any parking space when such vehicle is not in full operational condition;
- (11) any parking space when repairing or performing maintenance on such vehicle except for emergency situation which shall be completed within 24 hours;
- (12) any parking space for the primary purpose of displaying such vehicle for sale or advertising any product or event. (Ord. 2004.P.1, S2a, July 12, 2004)

**15.04.025 Unlawful areas for a motor vehicle to be parked or remain.** It shall be unlawful for the owner of a motor vehicle or commercial motor vehicle to permit the vehicle to be parked or remain in:

- (1) a no-parking zone;

- (2) a fire lane or adjacent to a fire hydrant;
- (3) a reserved area or loading zone when the operator is not entitled to do so as an owner, employee, customer, shopper or client of the lessee of the reserved areas or loading zone;
- (4) a handicapped parking space without displaying a handicapped person's or disable veteran's placard or a special handicapped or disabled veteran's license registration plate;
- (5) any area in violation of the posted time limit;
- (6) the wrong direction of the traffic flow of the street;
- (7) an area which blocks a private driveway, sidewalk or crosswalk, or;
- (8) an area which obstructs the flow of traffic;
- (9) any parking space without a current license plate property displayed thereon;
- (10) any parking space when such vehicle is not in full operational condition;
- (11) any parking space when repairing or performing maintenance in such vehicle except for emergency situation which shall be completed within 24 hours;
- (12) any parking space for the primary purpose of displaying such vehicle for sale or advertising any product or event. (Ord. 2004.P.1, S2b, July 12, 2004)

**15.04.030 Penalty for violation.** Any person violating any provision of this ordinance shall be fined an amount in accordance with the schedule attached to this ordinance which may from time to time be modified by the Town Council of the Town of Milltown by proper resolution. The personnel of the police department of the Town of Milltown, upon finding a motor vehicle or commercial motor vehicle unlawfully parked, shall attach a Parking Violation Notice adequately describing the parking violation, and setting forth the amount of the fine, which shall be paid to the Clerk-Treasurer of the Town of Milltown, within thirty (30) calendar days of the date of said Parking Violation Notice. If the fine is not paid within 30 days, the Town of Milltown shall have authority to file said violation in the appropriate Court for collection, including court costs. In addition a vehicle parked in a handicapped parking space when not legally permitted to

do so, may be issued a notice of violation of I.C. 5-16-9-5 or any other appropriate state statute.

### **SCHEDULE OF FINES**

- (1) A fine of \$5.00 shall be assessed for each violation of this ordinance involving a motor vehicle;
- (2) A fine of \$25.00 shall be assessed for each violation of this ordinance involving a commercial motor vehicle. (Ord. 2004.P.1, S2c and Schedule of Fines, July 12, 2004)

**15.04.040 Authority to tow-away vehicles.** The Town of Milltown shall have authority to and may tow away any motor vehicle or commercial motor vehicle found to be in violation of any provision of this ordinance. The Town of Milltown shall not be liable to the owner of any motor vehicle or commercial for any loss or damage, which may occur to such vehicle or contents, which are owed for any violation of any provision of this ordinance. (Ord. 2004.P.1, S2d, July 12, 2004)

**15.04.050 Emergency vehicles.** The provisions of this ordinance with respect to parking spaces shall not apply to any emergency vehicle when operated by an authorized individual on active duty for such period of time as may be necessary for such individual to perform necessary duties. (Ord. 2004.P.1, S2e, July 12, 2004)

**15.04.060 Commercial motor vehicles making pick-ups or deliveries.** Commercial motor vehicles making pickups or deliveries may temporarily park in a parking space or parking spaces in any residential area only for periods of time as maybe necessary therefore. Commercial motor vehicles may otherwise park in a parking space or parking spaces in industrial areas which do not contain any residential units. (Ord. 2004.P.1, S2f, July 12, 2004)

**15.04.070 Commercial motor vehicles used for construction or repair.** Commercial motor vehicles being necessarily used for the construction or repair of any nearby building or sidewalk may park in a parking space or parking spaces during hours workers remain on the job site. (Ord. 2004.P.1, S2g, July 12, 2004)

**15.04.080 Temporary parking.** Vehicles may temporarily park for the purposes of conducting business with township trustee. (Ord. 2004.P.1, S2h, July 12, 2004)

## Chapter 15.06

### STOP INTERSECTIONS

#### Sections:

- 15.06.010 Main Street – Preferential traffic street**
- 15.06.020 Vehicles on Main Street have right of way over all vehicles entering Main, except Fire and Mail vehicles**
- 15.06.030 All vehicles before entering Main Street shall stop**
- 15.06.060 Penalty for violation**

**15.06.010 Main Street – Preferential traffic street.** Be it ordained by the Town Board of the Town of Milltown, Crawford County, Indiana, that Main Street from the intersection of the street running from the Southern Depot and Main and Water Streets to the bridge that crosses Blue River, be designated as a preferential traffic street. (Ord. 30, S1, No date)

**15.06.020 Vehicles on Main Street have right of way over all vehicles entering Main, except Fire and Mail vehicles.** All vehicles running on said section of Main Street shall have right of way over all vehicles entering Main Street, from the intersection of the street from the Southern Depot, going over Main and Water Streets to the bridge across Blue River (excepting Fire Apparatus and United States Mail Wagons). (Ord. 30, S2, No date)

**15.06.030 All vehicles before entering Main Street shall stop.** All vehicles entering Main and Water Streets from the intersection of the street from the Southern Depot to the bridge across Blue River, shall come to a dead stop, before entering said section of Main and Water Streets. (Ord. 30, S3, No date)

**15.06.060 Penalty for violation.** Any person who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars. (Ord. 30, S6, No date)

## Chapter 15.09

### SPEED LIMITS

#### Sections:

**15.09.010 Maximum speed limit**

**15.09.020 Speed limit on Main and Water Streets/Speed on curves**

**15.09.080 Penalty for violation**

**15.09.010 Maximum speed limit.** It shall be unlawful for any person or persons to drive or speed an automobile, motorcycle or any vehicle to exceed 10 miles per hour. (Ord. 23, Oct. 4, 1915)

**15.09.020 Speed limit on Main and Water Streets/Speed on curves.** No motor vehicle shall be operated at a greater rate of speed than eight (8) miles per hour on Main and Water Streets between the Town Hall and bridge that crosses Blue River (See 53 note 23) provided that in going around a corner or curve in street or other public place where the operators view of the road traffic is obstructed, then the rate of speed shall not be more than six (6) miles per hour. (Ord. 30, S5, No date)

**15.09.080 Penalty for violation.** Any person who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an any sum not less than (\$5.00) dollars nor more than twenty-five (\$25.00) dollars. (Ord. 30, S6, No date) (Ord. 23, Oct. 4, 1915)

## Chapter 15.16

### PARKING

#### Sections:

- 15.16.010 Parking prohibited**
- 15.16.020 Parking allowed**
- 15.16.030 Direction of parked vehicles**
- 15.16.040 Penalty for violation**

#### **15.16.010 Parking prohibited.**

- (1) No parking of vehicles shall be permitted on Main Street and Water Street obstructing a double track from the Depot to the bridge. (Ord. 30, pt. S4, No date)
- (2) No parking in front of Post Office. (Ord. 30, pt. S4, No date)
- (3) No parking on the west side of German Street. (Ord. 1-97, Mar. 10, 1997)
- (4) No parking on the west side of Mill Street. (Ord. 1-97, Mar. 10, 1997)
- (5) No parking on Church Street. (Ord. 1-97, Mar. 10, 1997)
- (6) No parking closer than (30) feet from any intersection, unless otherwise posted. (Ord. 1-97, Mar. 10, 1997)
- (7) At no time is any vehicles allowed to obstruct or impede the flow of traffic on any street or alley. (Ord. 1-97, Mar. 10, 1997)
- (8) No vehicle is allowed park within fifteen (15) feet of any fire hydrant. (Ord. 1-97, Mar. 10, 1997)
- (9) At no time may automobiles park on or block sidewalks or walkways. (Ord. 1-97, Mar. 10, 1997)

#### **15.16.020 Parking allowed.**

- (1) On all other streets, parking is allowed at least three (3) feet from roadway. (Ord. 1-97, Mar. 10, 1997)
- (2) Each residence is allowed no more than two (2) vehicles parked at street side. (Ord. 1-97, Mar. 10, 1997)

**15.16.030 Direction of parked vehicles.** Every parked vehicle must be parked in the direction of the flow of traffic for that lane. (Ord. 1-97, Mar. 10, 1997)

**15.16.040 Penalty for violation.** Vehicles in violation of this ordinance are subject to impoundment, the operator of said vehicle shall be issued a uniform traffic ticket. If the operator cannot be identified the vehicle shall be towed at the owners expense. (Ord. 1-97, Mar. 10, 1997)

## **Chapter 15.30**

### **LOAD LIMITS**

#### **Sections:**

**15.30.010 Load limits**

**15.30.050 Penalty for violation**

#### **15.30.010 Load limits.**

- (1) There is hereby established a load limit of eight (8) tons on the bridge over Blue River in the town of Milltown. It shall be unlawful for any person, firm, organization or corporation to operate or cause to be operated on the said bridge over Blue River in the town of Milltown any vehicle or combination of vehicles when the gross weight of such vehicle or combination of vehicles is in excess of eight (8) tons.

This ordinance shall take effect on the 22<sup>nd</sup> day of March, 1974. It is directed that appropriate warning signs be placed at each end of said bridge. (Ord. 1-1974, Feb. 4, 1974)

**15.30.050 Penalty for violation.** Any person, firm, organization or corporation violating the terms of this ordinance shall be fined in an amount not to exceed \$100.00 for each such violation. (Ord. 1-1974, Feb. 4, 1974)

## Chapter 15.32

### VEHICLES WITH METAL WHEELS OR LUGS UPON STREETS PROHIBITED

#### Sections:

**15.32.010 Metal or hard substance wheels unlawful upon streets**

**15.32.020 Misdemeanor/Fine**

**15.32.030 Violation of ordinance**

**15.32.040 Enforcement**

**15.32.010 Metal or hard substance wheels unlawful upon streets.** It shall be unlawful for any person, persons, firm or corporation to drive, pull or pass or cause to be driven, pulled or passed, or to travel in any manner, upon its wheels, any tractor, steam engine or any other vehicle having metal or other hard substance wheels, with any lug, spike, cleat or any other metal protrusion from the outside of said wheels, or any wheel thereon, which said lug, spike, cleat or other metal protrusion shall extend outwardly from the surface of said wheel or wheels a distance of one-half inch or more, upon any street in said town, or upon any passway that is used as a street. (Ord. 33, S1, Feb. 1, 1932) (Ord. 32, S1, Feb. 1, 1932)

**15.32.020 Misdemeanor/Fine.** Any person, persons, firm or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of not less than Ten Dollars nor more than Twenty-five Dollars. (Ord. 33, S2, Feb. 1, 1932) (Ord. 32, S2, Feb. 1, 1932)

**15.32.030 Violation of ordinance.** It shall constitute a violation of this ordinance for any person, firm or corporation to drive any such vehicle, or cause the same to be driven, pulled or passed, upon or across any street or passway used as a street within the corporate limits of said town. (Ord. 33, S3, Feb. 1, 1932) (Ord. 32, S3, Feb. 1, 1932)

**15.32.040 Enforcement.** It shall be the duty of the Marshall of said Town to closely observe the use of any vehicle, described in Section 15.32.010 of this Chapter and the violation of said section and that any time said section is violated said Marshall shall seize said vehicle and hold the same in storage in said town and immediately file a criminal prosecution for the violation of this ordinance, before some court of competent jurisdiction, and that any fine and costs of the prosecution, in ease of a conviction, shall constitute a lien against said vehicle, and upon failure of the person, firm or corporation, to pay said fine and cost then said vehicle shall be sold, as other property is sold on execution, and the proceeds of said sale shall be applied as follows:

- 1st. To the payment of the fine and costs.
- 2nd. To the payment of a fee of Five Dollars as a seizure fee to said Marshall.
- 3rd. To the former owner of said vehicle or other person lawfully entitled to the same. (Ord. 33, S4, Feb. 1, 1932) (Ord. 32, S4, Feb. 1, 1932)