

TITLE 15
VEHICLES AND TRAFFIC

TITLE 15

VEHICLES AND TRAFFIC

Chapters:

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Chapter 15.02

ONE-WAY STREETS

Sections:

- 15.02.010 One-way Streets designated
- 15.02.020 Penalty

15.02.010 One-way Streets designated.

- (1) That on and after the taking effect of this Ordinance, the direction of traffic on Jefferson Street from the intersection of Jefferson Street and Maple Street, to the intersection of Jefferson Street and Second Street, in the Town of Orleans, Indiana, shall proceed only in a westerly direction making the same a "One Way" Street. (Ord. 2001-7, S1, March 15, 2001)
- (2) That on and after the taking effect of this Ordinance, Congress Avenue between its intersections of Jefferson Street and Washington Street, in the Town of Orleans, Indiana, shall be a "ONE WAY STREET". That all vehicles shall proceed in a northerly direction on Congress Avenue between its intersections with Jefferson and Washington Streets in the Town of Orleans, Indiana. (Ord. 2001-9, S1, S2, March 15, 2001)

15.02.020 Penalty. Any driver and any owner of any vehicle being driven or propelled in the Town of Orleans, Indiana; who shall not proceed in a direction thereon as designated in Section 15.02.010 shall be deemed guilty of a violation of this ordinance and shall be prosecuted in accordance with the laws of the State of Indiana. (Ord. 2001-9, S3, March 15, 2001) (Ord. 2001-7, S2, March 15, 2001)

Chapter 15.04

STOP INTERSECTIONS

Sections:

- 15.04.010 Definitions, rules of construction
- 15.04.020 Stop intersections
- 15.04.030 Multi-stop intersections
- 15.04.040 Signaled intersections
- 15.04.050 Authority of police
- 15.04.060 Emergency vehicles
- 15.04.070 General penalty
- 15.04.080 Inconsistent Ordinances Repealed
- 15.04.090 Effective date

15.04.010 Definitions, rules of construction. Terms used in this chapter shall have the meanings prescribed for such terms by the Motor Vehicle Laws of Indiana, unless otherwise specifically defined as follows:

- (1) Police officer means every officer of the town and any other duly constituted law officer who may be aiding the police force of the town at any time, including state and county officers.
- (2) Any reference in this ordinance to a specific street, avenue or drive shall be deemed to be a reference to the exact and correct name of such street so long as the first part of the name before the word street, avenue or drive, as the case may be, is correctly stated. (Ord. 2007-12, S1, September 20, 2007)

15.04.020 Stop intersections. The intersections described in Schedule A are designated stop intersections. When appropriate signs conforming to the requirements of this ordinance are erected at the entrances to such intersections, the operator of a vehicle approaching any of the streets where a sign has been erected shall bring such vehicle to a full and complete stop in obedience to any such sign before entering the intersection, except when directed by a police officer to do otherwise. (Ord. 2008-11, S2, July 17, 2008) (Ord. 2008-10, S2, July 17, 2008) (Ord. 2007-12, S2, September 20, 2007) (Ord. 2007-5, Apr. 19, 2007) (Ord. 2007-03, February 15, 2007) (Ord. 2004-5, March 18, 2004) (Ord. 2001-11, March 15, 2001) (Ord. 2001-10, March 15, 2001) (Ord. 2001-8, March 15, 2001) (Ord. 2001-6, March 15, 2001) (Ord. 2001-5, March 15, 2001) (Ord. 2000-7, September 21, 2000) (Ord. 2000-6, August 17, 2000) (Ord. 1996-5, May 16, 1996) (Ord. 1995-12, August 17, 1995) (Ord. 1995-3, March 2, 1995) (Res. 1994-1, January 6, 1994) (Ord. 1976-5, No date) (Ord. 1976-3, No date) (Ord. 1974-3, April 16, 1994) (Ord. 211, Sec. 1, March 19, 1952)

15.04.030 Multi-stop intersections. The intersections described in Schedule B are designated as multi-stop intersections and which may be a four-way stop, a three-way stop, a two-way stop, or an all-way stop. When appropriate signs conforming to the requirements

of this ordinance are erected at the entrance to such intersections, the operator of a vehicle entering any of the streets shall bring such vehicle to a full and complete stop before entering the intersection, except when directed by a police officer to do otherwise. (Ord. 2007-12, S3, September 20, 2007)

15.04.040 Signaled intersections. The intersections described in Schedule C are designated as signaled intersections. When appropriate traffic-control signals conforming to the requirements of this ordinance are installed at each intersection, the operator of a vehicle entering the intersections shall obey the signal displayed as the driver approaches the intersection, except when directed by a police officer to do otherwise. (Ord. 2007-12, S4, September 20, 2007)

15.04.050 Authority of police.

- (1) It is the duty of the police department to enforce the provisions of this ordinance pursuant to IC 9-4-1-28(a)(2). Officers of the police department are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this ordinance, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police or fire departments may direct traffic as conditions may require, notwithstanding the provisions of this ordinance.
- (2) The police department is hereby empowered to make and enforce regulations necessary to make effective the provisions of this chapter and to make and enforce temporary regulations to cover emergencies.
- (3) It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer. (Ord. 2007-12, S5, September 20, 2007)

15.04.060 Emergency vehicles.

- (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual suspected violator of the law or when responding to but not upon returning from a fire alarm, may disregard regulations governing direction of movement or turning in specified directions as required by this ordinance.
- (2) The exemption herein granted to the driver of an authorized emergency vehicle shall apply only when the driver of the vehicle while in motion sounds an 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 such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

- (3) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (Ord. 2007-12, S6, September 20, 2007)

15.04.070 General penalty. Any person, firm or corporation violating any of the provisions of this ordinance, upon conviction thereof, shall be prosecuted in accordance with the laws of the State of Indiana. (Ord. 2008-11, S3, July 17, 2008) (Ord. 2008-10, S3, July 17, 2008) (Ord. 2007-12, S7, September 20, 2007) (Ord. 2007-5, S3, Apr. 19, 2007) (Ord. 2007-03, S3, February 15, 2007) (Ord. 2004-5, S3, March 18, 2004) (Ord. 2001-11, S3, March 15, 2001) (Ord. 2001-10, S3, March 15, 2001) (Ord. 2001-8, S3, March 15, 2001) (Ord. 2001-6, S3, March 15, 2001) (Ord. 2001-5, S3, March 15, 2001) (Ord. 2000-7, S3, September 21, 2000) (Ord. 2000-6, S3, August 17, 2000) (Ord. 1996-5, S3, May 16, 1996) (Ord. 1995-12, S5, August 17, 1995) (Ord. 1995-3, S5, March 2, 1995) (Ord. 1976-5, S4, 1976) (Ord. 1976-3, S4, 1976) (Ord. 1974-3, April 16, 1974) (Ord. 211, S3, March 19, 1952)

15.04.080 Inconsistent Ordinances Repealed. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. (Ord. 2007-12, S8, September 20, 2007)

15.04.090 Effective date. This ordinance shall be in full force and effect from and after its passage by the Town Council, the posting of signs, and publication as provided by law. (Ord. 2007-12, S9, September 20, 2007)

SCHEDULE A

STOP INTERSECTIONS:

- Schedule A - 1. Northbound Sixth Street stops at Quarry Road (Ord. 2007-12)
- Schedule A - 2. Westbound Middleton Drive stops at Sixth Street (Ord. 2007-12)
- Schedule A - 3. Westbound Adams Street stops at Sixth Street (Ord. 2007-12)
- Schedule A - 4. Westbound Monroe Street stops at Sixth Street (Ord. 2007-12)
- Schedule A - 5. North and south Sixth Street traffic stop at Jefferson Street (Ord. 2007-12)
- Schedule A - 6. Westbound Washington Street stops at Sixth Street (Ord. 2007-12)
- Schedule A - 7. Westbound Jackson Street stops at Sixth Street (Ord. 2007-12)
- Schedule A - 8. Westbound Harding Street stops at Sixth Street (Ord. 2007-12)
- Schedule A - 9. Westbound Carolyn Street stops at Sixth Street (Ord. 2007-12)
- Schedule A - 10. Southbound Center Drive stops at Vincennes Street (Ord. 2007-12)
- Schedule A - 11. Eastbound Hawthorne Drive stops at Mike Street (Ord. 2007-12)
- Schedule A - 12. Northbound Mike Street stops at Jefferson Street (Ord. 2007-12)
- Schedule A - 13. Southbound Center Drive stops at Hawthorne Drive (Ord. 2007-12)
- Schedule A - 14. Northbound Center Drive stops at Jefferson Street (Ord. 2007-12)
- Schedule A - 15. Southbound Fairview Drive stops at Jefferson Street (Ord. 2007-12)
- Schedule A - 16. Westbound Morris Street stops at Jefferson Street (Ord. 2007-12)
- Schedule A - 17. Southbound Oak Street stops at Jefferson Street (Ord. 2007-12)
- Schedule A - 18. Northbound Karen Street stops at Washington Street (Ord. 2007-12)
- Schedule A - 19. Southbound Karen Street stops at Jackson Street (Ord. 2007-12)

- Schedule A - 20. Southbound Fifth Street stops at Harding Street (Ord. 2007-12)
- Schedule A - 21. Northbound Fifth Street stops at Adams Street (Ord. 2007-12)
- Schedule A - 22. Westbound Polk Street stops at Fourth Street (Ord. 2007-12)
- Schedule A - 23. Eastbound Polk Street stops at Third Street (Ord. 2007-12)
- Schedule A - 24. Southbound Third Street stops at the intersection of Harding Street (Ord. 2007-12)
- Schedule A - 25. Northbound Third Street should stop at the intersection of Monroe Street (Ord. 2007-12)
- Schedule A - 26. Southbound Third Street stops at the intersection of Wilson Street (Ord. 2007-12)
- Schedule A - 27. Northbound Second Street stops at the intersection of Wilson Street (Ord. 2007-12)
- Schedule A - 28. Northbound Orleans Way at Martin Street (Ord. 2007-12)
- Schedule A - 29. Eastbound Martin Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 30. Eastbound Parkwood Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 31. Eastbound Park Drive at Roosevelt Street (Ord. 2007-12)
- Schedule A - 32. Westbound South Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 33. Southbound Mathers Street at South Street (Ord. 2007-12) (Ord. 2000-7)
- Schedule A - 34. Southbound Lincoln Street at Harrison Street (Ord. 2007-12)
- Schedule A - 35. Northbound Hall Circle stops at the intersection of Carolyn Street (west end) (Ord. 2007-12)
- Schedule A - 36. Northbound Hall Circle should stop at the intersection of Carolyn Street (east end) (Ord. 2007-12)
- Schedule A - 37. Southbound Wesley Street at Harding Street (Ord. 2007-12)
- Schedule A - 38. Westbound Vincennes Street at Mathers Street (Ord. 2007-12)
- Schedule A - 39. Eastbound Vincennes Street at Gretchen Street (Ord. 2007-12)
- Schedule A - 40. Westbound Jackson Street at Wesley Street (Ord. 2007-12)
- Schedule A - 41. Eastbound Vincennes Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 42. Eastbound Jackson Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 43. North/south Lincoln Street at Jefferson Street (Ord. 2007-12)
- Schedule A - 44. Eastbound Jefferson Street at Stetson Street (Ord. 2007-12)
- Schedule A - 45. Eastbound Monroe Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 46. Eastbound Monroe Street at Stetson Street (Ord. 2007-12)
- Schedule A - 47. Westbound Monroe Street at Mathers Street (Ord. 2007-12)
- Schedule A - 48. Eastbound Adams Street at Stetson Street (Ord. 2007-12)
- Schedule A - 49. Westbound Adams Street at Mathers Street (Ord. 2007-12)
- Schedule A - 50. Northbound Mathers Street at Liberty Road (Ord. 2007-12)
- Schedule A - 51. Southbound Mathers Street at Liberty Road (Ord. 2007-12)
- Schedule A - 52. Northbound Stetson Street at Liberty Road (Ord. 2007-12)
- Schedule A - 53. Eastbound Adams Street at Roosevelt Street (Ord. 2007-12)
- Schedule A - 54. Eastbound McKinley at Fourth Street (Ord. 2007-12)
- Schedule A - 55. Southbound Hammond Street at Liberty Road (Ord. 2007-12)
- Schedule A - 56. Northbound Hammond Street at Wilson Street (Ord. 2007-12)
- Schedule A - 57. Northbound Mathers Street at Wilson Street (Ord. 2007-12)
- Schedule A - 58. Northbound Franklin Street at Polk Street (Ord. 2007-12)
- Schedule A - 59. Southbound Fairview at Morris Street (Ord. 2007-12)

- Schedule A - 60. Westbound Adams Street at Lincoln Street (Ord. 2004-5)
- Schedule A - 61. Southbound Franklin Street at Jackson Street (Ord. 2007-3)
- Schedule A - 62. Southbound Vance Street at Martin Street (Ord. 2007-5)
- Schedule A - 63. Westbound Jackson Street stops at Wesley Street (Ord. 2008-10)
- Schedule A - 64. Northbound on Hope Village Way at Vincennes Road (Ord. 2008-11)

SCHEDULE B

MULTI-STOP INTERSECTIONS

Two-Way Stops:

- Schedule B - 1. East/west Vincennes Street at Wesley Street (Ord. 2007-12)
- Schedule B - 2. East/west Vincennes Street at Lincoln Street (Ord. 2007-12)
- Schedule B - 3. North and South Fifth Street should stop at Jefferson Street (Ord. 2007-12)
- Schedule B - 4. East and west Washington Street should stop at Fifth Street (Ord. 2007-12)
- Schedule B - 5. East and west Jackson Street should stop at Fifth Street (Ord. 2007-12)
- Schedule B - 6. East/West Monroe Street should stop at intersection of Fourth Street (Ord. 2007-12)
- Schedule B - 7. North/south Fourth Street should stop at the intersection of Jackson Street (Ord. 2007-12)
- Schedule B - 8. North/south Fourth Street should stop at the intersection of Vincennes Street (Ord. 2007-12)
- Schedule B - 9. East/west Harding Street should stop at the intersection of Fourth Street (Ord. 2007-12)
- Schedule B - 10. East/west Haney should stop at the intersection of Fourth Street (Ord. 2007-12)
- Schedule B - 11. East/west Haney Street should stop at the intersection of Second Street (Ord. 2007-12) (Ord. 1976-3)
- Schedule B - 12. North/south Second Street should stop at the intersection of Harrison Street (Ord. 2007-12)
- Schedule B - 13. East/west Harding Street should stop at the intersection of Second Street (Ord. 2007-12)
- Schedule B - 14. North/south Second Street should stop at the intersection of Vincennes Street (Ord. 2007-12)
- Schedule B - 15. North/south Third Street should stop at the intersection of Jackson Street (Ord. 2007-12)
- Schedule B - 16. East/west Jackson Street should stop at Second Street (Ord. 2007-12)
- Schedule B - 17. North/south Third Street should stop at Washington Street (Ord. 2007-12)
- Schedule B - 18. Intersection of north/south Second Street and east/west Washington Street should be a four way (Ord. 2007-12)
- Schedule B - 19. East/west Monroe Street stops at the intersection of Second Street (Ord. 2007-12)

- Schedule B - 20. East/west Adams Street stops at Franklin Street (Ord. 2007-12)
- Schedule B - 21. North/south Lincoln Street stops Monroe Street (Ord. 2007-12)
- Schedule B - 22. East/west Monroe Street stops at Franklin Street (Ord. 2007-12)
- Schedule B - 23. North/south Franklin Street stops at Jefferson Street (Ord. 2007-12)
- Schedule B - 24. North/south Lincoln Street stops Liberty Road (Ord. 2007-12)
- Schedule B - 25. North/south Lincoln Street stops Wilson Street (Ord. 2007-12)
- Schedule B - 26. North/south Franklin Street stops at Liberty Street (Ord. 2007-12)
- Schedule B - 27. North/south Roosevelt stops Liberty Road (Ord. 2007-12)
- Schedule B - 28. North/south Roosevelt stops at Wilson Street (Ord. 2007-12)
- Schedule B - 29. North/south Third Street stops at Jefferson Street (Ord. 2001-8)
- Schedule B - 30. North/south on Fifth Street stops at Vincennes Street (Ord. 2001-11)

Three and Four-Way Stops:

- Schedule B - 31. Intersection of north/south Fifth Street and east/west Monroe Street is a four-way (Ord. 2007-12)
- Schedule B - 32. Intersection of north/south Fourth Street and east/west Adams Street is a four-way (Ord. 2007-12) (Ord. 2000-6)
- Schedule B - 33. Intersection of north/south Fourth Street and east/west Jefferson Street is a four-way (Ord. 2007-12)
- Schedule B - 34. Intersection of north/south Fourth Street and east/west Harrison Street is four-way (Ord. 2007-12)
- Schedule B - 35. Intersection of north/south Roosevelt and east/west Harding Street is a four-way (Ord. 2007-12)
- Schedule B - 36. Intersection of north/south Mathers and east/west Harding Street is a four-way (Ord. 2007-12)
- Schedule B - 37. Intersection of South Fourth and east/west Carolyn Street is three-way stop (Ord. 2007-12)
- Schedule B - 38. Intersection of northbound Lincoln Street and east/west Polk Street is three-way stop (Ord. 2007-12)
- Schedule B - 39. Intersection of north/south Second Street and east/west Washington Street is a four-way stop (Ord. 2007-12)
- Schedule B - 40. Intersection of north/south Second Street and east/west Adams Street is a four-way (Ord. 1974-3)
- Schedule B - 41. Intersection of north/south Second Street and east/west McKinley Street is a four-way (Ord. 1976-5)
- Schedule B - 42. Intersection of north/south Lincoln Street and east/west Harding Street is a four-way (Res. 1994-1)
- Schedule B - 43. Intersection of north/south Lincoln Street and east/west Jackson Street is a four-way (Ord. 1995-12)
- Schedule B - 44. Intersection of north/south Fourth Street and Wilson Street is a three-way (Ord. 1996-5)
- Schedule B - 45. Intersection of east/west Jefferson Street and north/south Second Street is a four-way (Ord. 2001-5)
- Schedule B - 46. Intersection of east/west Vincennes Street and north/south Third Street is a four-way (Ord. 2001-6)
- Schedule B - 47. Intersection of north/south Sixth Street and east/west Vincennes Street is a four-way (Ord. 2001-10)

Chapter 15.05

YIELD THE RIGHT OF WAY

Sections:

15.05.020 Yield streets designated

15.05.030 Duty of driver upon approaching the yield sign

15.05.040 Yield sign posting and specifications

15.05.020 Yield streets designated. That all vehicles traveling west on Hall Street approaching its intersection with Oak Street, shall yield to north-south traffic on Oak Street. (Ord. 2007-07, S2, July 19, 2007)

15.05.030 Duty of driver upon approaching the yield sign.

- (1) When a yield sign is erected pursuant to this chapter at or near the entrance to said intersection, every driver of a vehicle proceeding shall yield before entering the intersection. (Ord. 2007-07, S3a, July 19, 2007)
- (2) The driver of a vehicle approaching a yield sign, in obedience to such sign, shall slow down to a speed reasonable for the existing conditions or shall stop, if necessary, and shall yield the right-of-way to any pedestrian legally crossing the street on which he is driving and to any vehicle in the intersection or approaching so closely as to constitute an immediate hazard. The driver, having so yielded, may proceed and the driver of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided, however, if the driver is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, the collision shall be deemed prima facie evidence of his failure to yield the right-of-way. (Ord. 2007-07, S3b, July 19, 2007)
- (3) Any driver and any owner of any vehicle being driven or propelled in the Town of Orleans, Orange County, Indiana, who while driving such vehicle or causing same to be driven, shall fail to yield at the designated yield intersections in Section 15.05.020 as provided herein shall be deemed guilty of a violation of this Ordinance and shall be prosecuted in accordance with the laws of the State of Indiana. (Ord. 2007-07, S3, July 19, 2007)

15.05.040 Yield sign posting and specifications. Every yield sign shall be erected and located in accordance with the manual and specifications approved by the Indiana Department of Transportation. (Ord. 2007-07, S4, July 19, 2007)

Chapter 15.06

PARKING

Sections:

- 15.06.010 Definitions
- 15.06.020 Parking prohibited
- 15.06.030 Failure to observe “No Parking” signs or markings
- 15.06.040 Penalty for violation
- 15.06.100 Parking of semi trucks and/or semi trailers

15.06.010 Definitions. For the purposes of this Chapter:

- (1) The word vehicle shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails on tracks. (Ord. 1969-2 SI(a), December, 1969)
- (2) The word street shall mean any public street, avenue, road, boulevard, highway, alley or other public place located in the Town of Orleans, Indiana. (Ord. 1969-2, SI(b), December, 1969)
- (3) The word person shall mean and include any individual, firm, co-partnership or corporation. (Ord. 1969-2, SI(c), December, 1969)
- (4) The word operator shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner. (Ord. 1969-2, SI(d), December, 1969)
- (5) The word park shall mean to leave unattended. (Ord. 1969-2, SI(e), December, 1969)

15.06.020 Parking prohibited. That on and after the taking effect of this Ordinance, there will be NO PARKING, as designated by “NO PARKING” signs or yellow markings, or both, in the following locations:

- (1) In one (1) block of 2nd Street, being the West side of the Town Square, as designated (Ord. 1991-1, S1a, Feb. 21, 1991)
- (2) In all of West Harrison Street which lies West of 4th Street, as designated (Ord. 1991-1, S1b, Feb. 21, 1991)
- (3) In one (1) block of West Vincennes Street, between 2nd and 3rd Streets, as designated (Ord. 1991-1, S1c, Feb. 21, 1991)

- (4) In one (1) block of West Harding Street, on the North side, between 3rd and 4th Streets, as designated (Ord. 1991-1, S1d, Feb. 21, 1991)
- (5) In one (1) block of North Lincoln Street, between Polk and Wilson Streets, as designated (Ord. 1991-1, S1e, Feb. 21, 1991)
- (6) In two (2) blocks of South Mathers Street, on the West side, across from Patton Field, as designated (Ord. 1991-, S1f, Feb. 21, 1991)
- (7) On the West side of Mathers Street between State Highway 337 and Harrison Street (Ord. 1973-5, June 5, 1973)
- (8) In one (1) block of East Jackson Street, between Maple and Lincoln Streets, as designated (Ord. 1991-1, S1g, Feb. 21, 1991)
- (9) In three (3) blocks of South Roosevelt Street, on the West side, between Harding Street and State Highway 337, as designated (Ord. 1991-, S1h, Feb. 21, 1991)
- (10) On the west side of Roosevelt Street from State Road 337 south to the city limits of the Town of Orleans, Orange County, Indiana. (Ord. 1969-2, SII, December, 1969)

15.06.030 Failure to observe “No Parking” signs or markings. Any driver and any owner of any vehicle being driven or propelled at, in or on any of the streets aforementioned in Section 15.06.020, who while driving such vehicle or causing same to be driven, shall fail to observe the “NO PARKING” signs or markings on said street shall be deemed guilty of a violation of this Ordinance and shall be prosecuted in accordance with the Laws of the State of Indiana. (Ord. 1991-1, S2, Feb. 21, 1991)

15.06.040 Penalty for violation. Failure to comply with this Ordinance is punishable by a fine of not less than Twenty Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), plus the costs of the action, for each violation. (Ord. 1991-1, S4, Feb. 21, 1991) (Ord. 1973-5, June 5, 1973) (Ord. 1969-2, SIV, December 1969) (Ord. 211, Sec. 3, March 19, 1952)

15.06.100 Parking of semi trucks and/or semi trailers.

- (1) To protect the safety of citizens of and visitors to the Town of Orleans, Orange County, Indiana, parking by semi trucks and semi trailers or combination thereof is prohibited as to the times and places specified. (Ord. 1992-1, S1, March 5, 1992)
- (2) Parking of semi trucks or semi trailers or any combination thereof in excess of two (2) hours upon any public street, subject to the exception listed in subsection (3), is prohibited. (Ord. 1992-1, S2, March 5, 1992)

- (3) EXCEPTION: parking of semi trucks and semi trailers in excess of two (2) hours will be permitted on Lincoln Street between Adams Street and Liberty Street. (Ord. 1992-1, S3, March 5, 1992)
- (4) The Police Department of the Town of Orleans, Indiana is hereby empowered to issue citations and to tow and impound vehicles under the conditions set out in Section (5) hereof to insure the enforcement of this ordinance. (Ord. 1992-1, S4, March 5, 1992)
- (5) Failure to comply with this ordinance is punishable by a fine of One Hundred Dollars (\$100.00) for the first and second violations. Upon the third violation by a party, the Police Department of the Town of Orleans, Indiana is empowered to have the vehicle towed and placed in storage at the owner's expense and impounded until all fines, towing expense, and storage costs are paid in full at the Orleans Town Hall. (Ord. 1992-1, S5, March 5, 1992)

Chapter 15.08

WEIGHT RESTRICTIONS

Sections:

- 15.08.010 Definitions
- 15.08.020 Weight limit on most town streets
- 15.08.030 Weight limit on Sixth Street (from Quarry Road to Vincennes Street)
- 15.08.040 Authority to Weight Commercial Vehicles
- 15.08.050 Exemptions
- 15.08.060 Penalty

15.08.010 Definitions. For the purpose of this Ordinance (Chapter):

- (1) The word vehicle shall mean any device in, upon or which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks. (Ord. 1968-1, S1(a), March 1968)
- (2) The word street as used in the ordinance (Chapter) shall mean and shall apply to any public streets, avenues, roads, boulevards, highways, alleys or other public places located in the Town of Orleans except those streets in said town that are parts of the general county highway system of Orange County, Indiana. (Ord. 1968-1, S1(b), March 1968)
- (3) The word person shall mean and include any individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner. (Ord. 1968-1, S1(c), March 1968)

15.08.020 Weight limit on most town streets. Except as hereinafter provided, from and after the taking effect of this ordinance it shall be unlawful for any person, firm or corporation, to drive and operate a motor vehicle upon the streets, avenues, boulevards, highways and alleys in the Town of Orleans, the gross weight of which is ten (10) tons or more provided, however, that the operation of motor vehicles over and upon all streets, avenues, roads, boulevards, highways and alleys in said Town of Orleans, aforesaid, that are a part of the county highway system of Orange County, Indiana, shall be exempt from the restrictions provided in the ordinance (Chapter). (Ord. 1968-1, S2, March 1968)

15.08.030 Weight Limit on Sixth Street (from Quarry Road to Vincennes Street). That no persons shall operate or cause to be operated any vehicle, truck or commercial vehicle or combination thereof on Sixth Street, from its intersection with Quarry Road to its Intersection with Vincennes Street, exceeding the gross weight of "FIVE (5) TONS" when said street is properly posted and any person, firm or corporation, operating or causing to be operated such vehicles exceeding the load limit of "FIVE TONS" shall be deemed guilty of

a violation of this ordinance and shall be prosecuted in accordance with the laws of the State of Indiana. (Ord. 2001-14, S1, April 5, 2001)

15.08.040 Authority to Weigh Commercial Vehicles. The Chief of Police and deputies, shall have the authority to require any person driving or in control of any commercial vehicle, to proceed to any public or private scale available for the purpose of weighing said vehicle and determining compliance with this chapter (Ord. 2001-14, S2, April 5, 2001).

15.08.050 Exemptions. The following are exempt from the provisions of this ordinance:

- (1) The operation of emergency vehicles.
- (2) The operation of trucks owned or operated by the city, public utilities, or any contractor or materials supplier, while engaged in the repair, maintenance or construction of streets, street improvements, or public utilities within the city.
- (3) The operation of trucks upon any officially established detour. (Ord. 2001-14, S3, April 5, 2001) (Ord. 1968-1, S3, March 1968)

15.08.060 Penalty.

- (1) Every person convicted of a violation of this chapter shall be punished by a fine of \$250, plus court costs.
- (2) For weight violations, a fine of \$.01 per pound for each overweight pound may be imposed in lieu of the fine herein provided. (Ord. 2001-14, S4, April 5, 2001) (Ord. 1968-1, S4, March 1968)

Chapter 15.10

SOLICITATION IN ROADWAYS

Section:

15.10.010 Definitions

15.10.020 Prohibited Activity in Roadways

15.10.030 Interference with vehicular traffic

15.10.040 Violations and Penalties

15.10.010 Definitions. The words used in this ordinance shall have the meanings ascribed to them:

- (1) Roadway shall mean that portion of a street or highway, improved or unimproved, which is designed or ordinarily used for vehicular travel, in the event a highway includes two (2) or more separate roadways, the term "roadway" shall refer separately, but not to all such roadways collectively.
- (2) Traffic shall mean pedestrians, ridden or herded animals, vehicles, streetcars and all other conveyances, either singly or together, while using any street or highway for purposes of travel or while stopping or parking therein.
- (3) Vehicle shall mean every motor vehicle which is self-propelled by a motor, or any device using any form of energy or power other than muscular power.
- (4) Pedestrian shall mean any person afoot. (Ord. 2002-3, S1, May 21, 2002)

15.10.020 Prohibited activity in roadways. It shall be unlawful for a pedestrian to sit, stand or move within or upon a roadway, or a median between two (2) roadways, for the purpose of or while engaged in:

- (1) Soliciting, peddling, selling, advertising, donating, or distributing any product, property, or service, including but not limited to tickets, handbills, newspapers, or other printed material, to or from an occupant of a vehicle in the, roadway; or,
- (2) Conversation or discourse with an occupant of a vehicle in the roadway. (Ord. 2002-3, S2, May 21, 2002)

15.10.030 Interference with vehicular traffic. It shall be unlawful for a person to solicit, peddle, sell, advertise, donate, or distribute any product, property, or service, including but not limited to tickets, handbills, newspapers, or other printed material, to an occupant of a vehicle within or upon a roadway, or to engage in conversation or discourse with an occupant of a vehicle within or upon a roadway, so as to:

- (1) Endanger the safety or welfare of an occupant of a vehicle within or upon a roadway, or a pedestrian on within the immediate vicinity;
- (2) Impede the free flow of vehicular traffic on the roadway; or,
- (3) Obstruct or distract the view of the driver of any such vehicle within or upon a roadway. (Ord. 2002-3, S3, May 21, 2002)

15.10.040 Violations and Penalties. Any person violating any of the provisions of this ordinance shall, upon judgment, may be fined up to Two Thousand Five Hundred Dollars (\$2,500.00). Each day such violation is committed or permitted to continue shall constitute a separate offense. (Ord. 2002-3, S4, May 21, 2002)

Chapter 15.50
SNOW ROUTES

Sections:

- 15.50.010 Declaration of Snow Emergency**
- 15.50.020 Designation of Snow Routes**
- 15.50.030 No Parking permitted upon a Snow Route**
- 15.50.040 Separability**
- 15.50.050 Conflicting Ordinances Repealed**
- 15.50.060 Penalty**
- 15.50.070 Effective Date**

15.50.010 Declaration of Snow Emergency. Upon a declaration by the President of the Town Council, after recommendation by the members of the Town Council that a potential snow emergency exists caused by heavy snowfall in the Town, no parking shall be permitted upon routes hereinafter listed by any vehicle. (Ord. 2006-12, S1, December 14, 2006)

15.50.020 Designation of Snow Routes. The following routes shall be designated as snow routes and reasonable insignias or signs shall be placed on the routes to indicate that the routes are snow routes:

- (1) Monroe Street and Price Street from Franklin Street to Maple Street;
- (2) Jefferson Street from Stetson Street to Oak Street;
- (3) Vincennes Street from Maple Street to Sixth Street;
- (4) Martin Street from Maple Street to Roosevelt Street;
- (5) Roosevelt Street from Martin Street to Washington Street; and
- (6) Liberty Road from Maple Street to County Road 100 East. (Ord. 2006-12, S2, December 14, 2006)

15.50.030 No Parking permitted upon a Snow Route. After declaration of a snow emergency, no parking shall be permitted upon a snow route, and any vehicle found parked upon a snow route may be towed by the Town, or its agent, at the cost of the owner of the vehicle. (Ord. 2006-12, S3, December 14, 2006)

15.50.040 Separability. If any section, subsection, or clause of this ordinance shall be deemed invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby. (Ord. 2006-12, S4, December 14, 2006)

15.50.050 Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. (Ord. 2006-12, S5, December 14, 2006)

15.50.060 Penalty. A person convicted of a violation of any section of this ordinance shall upon conviction be punished by a fine of not more than One Hundred Dollars (\$100.00). Each day any such violation is committed or permitted to continue may constitute a separate offense and shall be punishable as such hereunder. (Ord. 2006-12, S6, December 14, 2006)

15.50.070 Effective Date. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14. (Ord. 2006-12, S7, December 14, 2006)

Chapter 15.80

REGULATING EXCAVATIONS ON PUBLIC PROPERTY

Sections:

- 15.80.010 Definition
- 15.80.020 Approval of Town Council
- 15.80.030 Standards and specifications for construction
- 15.80.040 Work site security
- 15.80.050 Commencement of construction, inspections
- 15.80.060 Penalties
- 15.80.070 Use of funds
- 15.80.080 Location of town utilities
- 15.80.090 Emergency situations
- 15.80.100 Application contents
- 15.80.110 Bond, insurance
- 15.80.120 Application evaluation
- 15.80.130 Application fee
- 15.80.140 Time limits

15.80.010 Definition. An excavation within the meaning of this ordinance shall be any digging, holing, scooping, cutting, drilling or hollowing which penetrates the surface of any street or alley within the corporate limits of the town. (Ord. 2008-4, S1, March 20, 2008)

15.80.020 Approval of Town Council. It shall be unlawful for any abutting owner to alter, cut, dig, remove or cut any grass plot, sidewalk, the pavement of the street or public way, or the curb adjacent thereto, or to excavate in a street, for the purpose of locating or constructing any private or commercial driveway or roadway for vehicles to cross over such grass plot or sidewalk, or for the installation of utilities, to afford access to his premises, without first obtaining a license therefor without first submitting an application in writing to the Town Council and obtaining the approval of the application by the Town Council, unless such person undertakes such activity pursuant to a formal request by the Town Council. (Ord. 2008-4, S2, March 20, 2008)

15.80.030 Standards and specifications for construction. It shall be the obligation of any person obtaining a license for an opening or excavation in the public right-of-way to backfill the excavation and replace the pavement as set forth in the following specifications:

- (1) **Backfill.** All excavations under pavement shall be backfilled with clean granular material meeting the requirements of section 211 of the Indiana State Highway Standard Specifications. Each layer shall be compacted to at least 95 percent of the maximum dry density as determined by AASHTO T99, as modified. Special care shall be taken in filling around sewers, water pipes, gas lines, etc., to keep the earth at the same height on both sides to avoid shifting. No removed paving materials or debris shall be used in backfilling the excavation unless approved by the Street Superintendent or its designee.

Excavations not under pavement may be backfilled with virgin material removed from the excavation.

- (2) **Pavement and replacement.** All pavement shall be replaced with a type of construction equal to or better than that which is removed and as approved by the Street Superintendent. All cuts in pavement shall be first outlined with a saw cut not less than 1 1/2 inches deep.
- (3) **Concrete or brick pavements.** Concrete used in the replacement of concrete or brick pavements not presently surfaced with an asphaltic material shall consist of six-bag concrete with seven percent air entrainment. Slump shall not exceed three inches. Coarse aggregate shall be limestone or blast furnace slag. No natural gravel aggregate will be allowed. Brick pavement will be replaced with eight inches of concrete except in some residential streets where the Street Superintendent may require the brick to be replaced. Where concrete that has an asphaltic concrete surface is replaced, six-bag concrete shall be used and the concrete shall be finished flush with the surface of the existing concrete and the asphaltic surface replaced.
- (4) **Hot asphaltic concrete, sheet asphalt, emulsified asphalt, chip seals, and oil mat pavements.** All asphaltic and oil type pavements shall be replaced with a hot asphaltic concrete surface conforming to the standard specifications, hot asphaltic concrete base, binder and surface of these prevailing specifications. The thickness of the pavement shall be equal to that which existed, but not less than three inches. Not less than 11 inches of coarse aggregate class A or B, size No. 53 shall be placed under any asphaltic concrete patch unless a concrete base is necessary. Asphalt placed over a concrete patch shall be cut back six inches around the concrete patch so that the two joints are offset.
- (5) **Temporary patch.** If it is not possible due to weather conditions for the licensee to replace the pavement within 14 days following completion of work, a coarse aggregate base eight inches thick and a cold asphaltic surface shall be applied and maintained as a temporary patch until permanent repairs can be made. In no case shall a temporary patch be maintained more than six months before permanent repairs are made.

For additional construction standards and specifications as required by the Town, consult with the Street Superintendent. (Ord. 2008-4, S3, March 20, 2008)

15.80.040 Work site security. Any person making an excavation in or underneath the surface of a street, alley, or public place in the town shall erect and place suitable warning barriers, signs, and lights at or near the excavation, in such a manner as to prevent damage to persons and property that might otherwise result from or be caused by the presence of such excavation. (Ord. 2008-4, S4, March 20, 2008)

15.80.050 Commencement of construction, inspections.

- (1) The licensee is required to contact the Town Superintendent one day before the cut is to be made. An inspector will visit the construction site to determine that construction, safety, and repair methods as provided for in the approved license are implemented. The inspector shall verify that all of the conditions of the license are being met and work is in compliance with city standards.
- (2) The number of interim inspections necessary will depend upon the type and size of the job.
- (3) Upon completion of the work, the licensee is required to contact the Town Superintendent. An inspector shall verify that all of the conditions of the license have been met and work is in compliance with town standards. Any equipment, surplus materials, and construction debris of any description shall be removed and the entire area put in a neat and orderly condition. All manholes, catch basins or other structures disturbed or adjacent thereto shall be examined, any debris caused by the licensee shall be removed therefrom, or any damage caused by the licensee shall be repaired by the licensee.
- (4) Upon acceptance by the inspector, the date of completion shall be noted on the inspection form. The licensee's performance and damage bond shall guarantee the maintenance of the work for a period of one year from that date. One year after the date of final inspection and approval, the licensee's bond shall be released, provided the quality and workmanship of the excavation have been maintained and the work remains in compliance with town standards. (Ord. 2008-4, S5, March 20, 2008)

15.80.060 Penalties.

- (1) Any person who shall make an excavation or opening in or underneath the surface of any street, alley or public place in the town without a proper license from the town, or of larger dimensions than is authorized by such license, or without having on file a proper bond or certificates of insurance, or fails to erect or maintain suitable warning signs, lights or barriers at or near any such excavation in order to prevent damage to persons and property, or fails to fill in any excavation or opening promptly when the work has been completed therein, or who fails to apply for or pay for a license after making an emergency excavation, or who shall fail to, neglect, refuse or omit to perform or discharge any other act or duty imposed by this article, shall be punished as hereafter provided.
- (2) If any licensee shall violate any of the provisions of this ordinance, or shall cause or create a public nuisance, or create a condition which is hazardous to the public health, safety, or welfare, or otherwise act unlawfully in connection with this article, the town may enjoin such person from further excavation activities.

- (3) In addition to the remedies provided in this section, if any licensee shall violate any of the provisions of this ordinance, the town may take all appropriate legal action to call and collect upon the surety bond posted by the licensee.
- (4) In any action commenced by the town to enforce the provisions of this article, and in any legal proceedings initiated by any applicant or licensee, if the town shall prevail therein, the applicant or licensee shall pay the town's attorney's fees incurred in connection with such proceedings, at the rate customarily charged by the town's attorney to non-municipal clients. (Ord. 2008-4, S6, March 20, 2008)

15.80.070 Use of funds. All fees received for issuance of licenses under this ordinance shall be credited and go to the street department fund of the town. All fines and penalties shall be paid to the general fund of the town. (Ord. 2008-4, S7, March 20, 2008)

15.80.080 Location of town utilities. Before the commencement of work under this ordinance, the utility lines and facilities of the town within the area of the work shall be located. The licensee shall pay any fees incurred for this location service. The location service fee, if any, shall be paid at the time the license fee prescribed by this ordinance is paid. (Ord. 2008-4, S8, March 20, 2008)

15.80.090 Emergency situations. If an emergency arises which requires any person to cut, break, alter, change or disturb the surface of any street, alley, boulevard, or other public place, or the ground underneath any such surface, in the town immediately, such person shall contact the Street Superintendent. Verbal approval for the street excavation may be granted by the Street Superintendent allowing the applicant to begin work immediately. However, the applicant shall appear at the clerk-treasurer's office the following day to complete the license application in accordance with this ordinance. In addition, any person obtaining approval for an emergency street excavation shall be required to comply with all the other terms and provisions of this article. (Ord. 2008-4, S9, March 20, 2008)

15.80.100 Application, contents. Whenever any person shall desire to cut, alter, change, break, or disturb the surfaces or cut underneath the surfaces enumerated in this ordinance, such person shall make and file with the clerk-treasurer a written and sworn application for a license on a form to be prescribed by the Town Council, setting out therein the following information:

- (1) The name, address and occupation of the applicant seeking the license.
- (2) The reason for seeking the license.
- (3) The nature of the work to be accomplished.
- (4) The length of time within which the work is expected to be accomplished.
- (5) The date when the work is expected to be commenced.

- (6) The location and area of the surface to be broken.
- (7) A project description including the length, width, and depth of the cut and whether in pavement, curbing or sidewalk.
- (8) A description of the surface to be cut (e.g., asphalt, concrete, gravel, etc.). If more than one type of surface is to be cut, the length, width, and depth within each surface must be specified.
- (9) Proposed safety features, as well as a proposed schedule outlining the extent of open excavation.
- (10) If the license application involves grading and/or drainage work that will affect the town right-of-way, the following:
 - A. Drainage plan including all drainage structures and calculations.
 - B. Grading site plans.
- (11) Any additional information that may be helpful to the Street Commissioner.

Such application shall have attached thereto a clearly drawn sketch of the location with all distances and dimensions marked, and four sets of construction plans. (Ord. 2008-4, S10, March 20, 2008)

15.80.110 Bond, insurance.

- (1) Before any license shall be issued under the provisions of this division, the applicant shall execute and file with the clerk-treasurer a personal guarantee, bond or certified check in the minimum sum of \$ 1,000.00 with proper surety, conditioned that such obligors will indemnify and save the town harmless against loss or damage that may be caused by the excavation or that may arise or result therefrom, or from a failure or omission to keep or maintain adequate and proper warning signs, lights, or barriers at the site of the excavation, and further conditioned that the applicant will fill the excavation up to the surface thereof when the work is completed and that the surface shall be restored to its prior condition. The bond shall also contain a condition that in case an excavation is made by the principal obligor in an emergency when the clerk-treasurer's office is closed, he will apply and pay for the proper license on the first day such office is open. All personal guarantees or bonds shall be subject to the approval of the Town Council or its designee.
- (2) If any applicant shall have on file a good and sufficient personal guarantee or bond in the office of the clerk-treasurer, the same shall cover any one or more excavations for which a license has been issued, provided that the Town Council or its designee may demand a new personal guarantee or bond

when in its judgment such is required by the number of excavations applied for by the applicant.

- (3) The Town Council may require the applicant to furnish proof of liability insurance in the following amounts:
 - A. Property damage \$ 250,000.00
 - B. Injury, per person 250,000.00
 - C. Injury, per occurrence 1,000,000.00
- (4) If so required, the applicant must show proof of premium payment for such insurance for a period of one year from the date of the commencement of work. (Ord. 2008-4, S11, March 20, 2008)

15.80.120 Application evaluation.

- (1) The Street Superintendent shall preliminarily evaluate the application solely for the purpose of determining whether it is complete and complies with this ordinance. If not, it shall be returned to the applicant and no further action shall be taken by the town.
- (2) If the application is complete, the Street Superintendent shall review the plans submitted by the applicant to determine the effects of work site activity on drainage, erosion control, curbs, sidewalks and the need for restoration of vegetation and fences.
- (3) Upon completion of the Street Superintendent's review, the application shall be forwarded to the street department for verification of all pertinent field conditions described by the application and the attached construction plans.
- (4) The application evaluation by the Street Superintendent shall be completed within ten days after the application is submitted. Based upon his evaluation, the Street Superintendent may recommend that special conditions or requirements be attached to approval of the application.
- (5) Upon completion of the application evaluation by the Street Superintendent, the Town Council at its first regular meeting, or the Council's designee shall determine whether the application should be granted or denied. If Town Council, or its designee shall find, after due consideration of all criteria set forth in this ordinance, and after consideration of any other matters affecting the public health, safety, or welfare, that the application should be granted, then a license shall be issued to the applicant subject to the provisions of this ordinance and any special conditions or requirements which the Council or its designee deems appropriate; and if the Council or its designee shall find otherwise, then the application shall be denied. (Ord. 2008-4, S12, March 20, 2008)

15.80.130 Application fee. Each application shall be accompanied by a nonrefundable application fee in the amount of \$25.00, which fee shall be paid in the form of cash or by guaranteed negotiable instrument. (Ord. 2008-4, S13, March 20, 2008)

15.80.140 Time limits.

- (1) License time limit. Upon approval of the license under this division, the applicant shall have three months in which to complete construction. If construction may require additional time for completion, a 30-day extension may be granted to applicant at no additional cost provided such extension is applied for prior to expiration of the license. If an extension request is not submitted prior to license expiration, construction will be halted until such time as licensee shall:
 - A. Reapply for an additional street cut license;
 - B. Obtain approval of the application; and
 - C. Post bond, pay the required fees and comply with all other conditions of the license.

Where a street cut license is issued in conjunction with a building permit, the license time limit shall be extended to coincide with the time limitations enforced by the building permit.

- (2) Excavation time limit. For open cuts within a paved area, the excavation time limit shall not exceed one day. Before licensee leaves the site, pavement excavation must be replaced as specified in this ordinance and returned to a traversable condition.
- (3) License limitations. License approval is granted solely for use as indicated on the plans and application as authorized by the reviewers representing the Street Superintendent. Approval cannot be transferred to a contractor or location other than as indicated on the license without written permission of the Town Council or its designee. (Ord. 2008-4, S14, March 20, 2008)