

TITLE 9

TRAFFIC

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Chapter 9.16

PARKING

Sections:

- 9.16.010** **Parking Prohibited in the Travel Way - No Double Parking**
- 9.16.020** **No Parking Zone**
- 9.16.100** **Two - Hour Parking**
- 9.16.120** **Parking in Front of City Hall**

9.16.010 Parking Prohibited in the Travel Way - No Double Parking. It shall be unlawful for any person to park a motor vehicle or to leave any such motor vehicle, in the traveled way and manner commonly known as parking double, on the traveled portion of any street, alley or highway inside the corporate limits of the City of Petersburg, IN, except in case of emergency. Any person violating this ordinance shall, on conviction, be fined for each separate offence in any sum not less than one dollar or more than five dollars. (Ord. 93, S1, Aug. 20, 1934)

9.16.020 No Parking Zone

- (1) It shall be unlawful for an operator to park any motor vehicle, or for the owner of any vehicle to permit any motor vehicle to be parked, upon either side of north Fourth Street, north of High Street in Petersburg, Indiana.

Said zone and section of Fourth Street is hereby declared to be a NO PARKING zone and area, at any and all times, and on any and all dates. (Ord. 1995-2, S1, March 20,1995)

- (2) The unlawful parking of any motor vehicle in the NO PARKING zone and area shall subject the motor vehicle to being removed and towed any, without notice to the owner or operator, and shall subject the owner or operator to liability for the payment of a reasonable removal or towing charge incurred to terminate such unlawful parking. (Ord. 1995-2, S2, March 20,1995)
- (3) The City of Petersburg shall erect and maintain proper NO PARKING signs to identify the NO PARKING zone to the general public. (Ord. 1995-2, S3, March 20, 1995)
- (4) The Police Department of the City of Petersburg shall enforce this Ordinance and shall report violations to the ORDINANCE VIOLATIONS BUREAU of the City of Petersburg. (Ord. 1995-2, S4, March 20,1995)

- (5) The penalty for each violation of this Ordinance shall be a fine in the sum of Three Dollars (\$3.00), plus the reasonable cost of removal or towing of the motor vehicles in violation of the Ordinance, which sums shall be collected as provided by Petersburg City Ordinance #1989-2, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1995-2, S5, March 20,1995)

9.16.100 Two - Hour Parking.

- (1) There is hereby imposed a time limit of 2 hours for the parking of motor vehicles, between the hours of 9:00 o'clock A.M., and 5:00 o'clock P.M., Monday through Friday, and between the hours of 9:00 o'clock A.M. and 12:00 o'clock noon, on Saturday, all local times, on those City streets described in Section (2) of this section. (Ord. 1989-3, S1, April 3, 1989)
- (2) The time parking limits, provided in Section (1) of this section, shall apply to all designated parking spaces on Main Street, also known as Indiana State Highway #57, between 4th Street and 10th Street, between Poplar Street and Walnut Street. The City of Petersburg reserves the right to issue parking permits to qualified applicants, for good cause shown in special circumstances, to permit parking beyond the time parking limits. (Ord. 1989-3, S2, April 3, 1989) (Ord. 1972-4, S1 &2, July 3, 1972)
- (3) The City of Petersburg shall designated the parking spaces as either angle or parallel to the City street, in all of the restricted area, as the City shall determine is proper. (Ord. 1989-3, S3, April 3, 1989)
- (4) The Police Department of the City of Petersburg shall enforce this Ordinance, and shall report violations to the ORDINANCE VIOLATIONS BUREAU of the City of Petersburg. (Ord. 1989-3, S4, April 3, 1989)
- (5) The penalty for each violation of this Ordinance shall be a fine in the sum of \$3.00, which sum shall be collected as provided by Petersburg City Ordinance No. 1989 - 2 Chapter 1.42, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1989-3, S5, April 3, 1989)

9.16.120 Parking in Front of City Hall.

- (1) There is hereby imposed a time limit of 15 minutes for the parking of motor vehicles, between the hours of 8:00 o'clock A.M. and 4:00 o'clock P.M., Monday through Friday, local time, for one designated parking space on Main Street, immediately in front of Petersburg City Hall. (Ord. 1994-3, S1, June 6, 1994)

- (2) The Police Department of the City of Petersburg shall enforce this Ordinance and shall report violations to the ORDINANCE VIOLATIONS BUREAU of the City of Petersburg. (Ord. 1994-3, S2, June 6, 1994)
- (3) The penalty for each violation of this Ordinance shall be a fine in the sum of \$3.00, which sum shall be collected as provided by Petersburg City Ordinance No. 1989-2, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1994-3, S3, June 6, 1994)

Chapter 9.24

STOP INTERSECTIONS AND PREFERENTIAL STREETS

Sections:

- 9.24.010 Preferential Streets**
- 9.24.020 Four - Way Stop Streets**
- 9.24.030 Erection of Signs**
- 9.24.040 Enforcement**
- 9.24.050 Penalty for Violation**

9.24.010 Preferential Streets. The following streets of the City of Petersburg shall be designated as "preferential" at the following intersections:

<u>PREFERENTIAL STREET</u>		<u>INTERSECTION STREET</u>
1 ST Street	at	Locust Street
	at	Walnut Street
3 rd Street	at	Locust Street
	at	Sycamore Street
4 th Street	at	Cedar Street
	at	Cherry Street
	at	High Street
	at	Locust Street
	at	Sycamore Street
5 th Street	at	Cedar Street
	at	King Street
	at	Locust Street
	at	Maple Street
	at	McCoy Street
	at	Poplar Street
	at	Sycamore Street
6 th Street	at	King Street
	at	Locust Street
	at	Maple Street
	at	McCoy Street
	at	Poplar Street
	at	Sycamore Street
	at	Walnut Street

PREFERENTIAL STREET

INTERSECTION STREET

7 th Street	at	Branch Street
	at	Cedar Street
	at	Locust Street
	at	Maple Street
	at	McCoy Street
	at	Poplar Street
	at	Spruce Street
	at	Sycamore Street
8 th Street	at	Cedar Street
	at	Cherry Street
	at	Locust Street
	at	Maple Street
	at	McCoy Street
	at	Poplar Street
	at	Sycamore Street
10 th Street	at	Cedar Street
	at	Cherry Street
	at	Poplar Street
	at	Goodlet Street
11 th Street	at	Cedar Street
	at	Cherry Street
	at	Poplar Street
12 th Street	at	Cedar Street
	at	Locust Street
	at	Poplar Street
	at	Sycamore Street
	at	13th Street
	at	Walnut Street
13 th Street	at	Sycamore Street
	at	Walnut Street
14 th Street	at	Locust Street
	at	Sycamore Street
	at	Walnut Street
15 th Street	at	Locust Street
	at	Sycamore Street
	at	Walnut Street

PREFERENTIAL STREET

INTERSECTION STREET

16 th Street	at	Locust Street
	at	Maple Street
	at	Sycamore Street
	at	Walnut Street
17 th Street	at	Locust Street
	at	Maple Street
	at	Sycamore Street
	at	Walnut Street
18 th Street	at	Locust Street
	at	Maple Street
	at	Sycamore Street
	at	Walnut Street
Eastwood Drive	at	Hill Road
Illinois Street	at	Line Street
	at	1st Street
	at	5th Street
Locust Street	at	10 th Street
Goodlet Street	at	8th Street
Maple Street	at	4 th Street
	at	10 th Street
Walnut Street	at	2 nd Street
	at	3rd Street
	at	5th Street
	at	7th Street
	at	8th Street
	at	10th Street
	at	11 th Street
Poplar Street	at	Center Street
	at	Knox Street
Spruce Street	at	6th Street
	at	10th Street
	at	11th Street
	at	Knox Street

PREFERENTIAL STREET

INTERSECTION STREET

Branch Street	at	Hodges Street
White River Avenue	at	Abigail Street
	at	Glezen Street
	at	Sarah Street
	at	Trafzer Street
Center Street	at	Cedar Street
Sycamore Street	at	2nd Street
Mulberry Street	at	Cedar Street
	at	Cherry Street
	at	Poplar Street
Park Road	at	Whitelock Avenue
McCoy Street	at	10 th Street
IN State Hwy. #57	at	All intersections with other streets in the corporate limits of the City of Petersburg, EXECPT at intersections controlled by Indiana State highway Department traffic control signals.
IN State Hwy #61		All intersections with other streets in the corporate limits of the City of Petersburg, EXECPT at intersections controlled by Indiana State Highway Department traffic control signals.
IN State Hwy #256		All intersections with other streets in the corporate limits of the City of Petersburg.
IN State Hwy #56		All intersections with other streets in the corporate limits of the City of Petersburg, EXECPT at intersections controlled by Indiana State

Highway Department traffic control signals.

Liberty Street

Liberty Apartments Parking Lot

Mona Street

Liberty Apartments Parking Lot

(Ord. 2006-1, S1, Feb. 6, 2006) (Ord. 1995-8, S1, Aug. 21, 1995) (Ord. 1992-17, S1, Sept. 8, 1992) (Ord. 1992-2, S3, March 16, 1992) (Ord. 1991-2, S1, March 4, 1991)

9.24.020 Four - Way Stop Streets. The following intersection shall be designated as a FOUR - WAY STOP:

Intersection of
Intersection of
Intersection of
Intersection of
Intersection of
Intersection of

White River Avenue and Mona Street
7th Street and Matilda Street
7th Street and Cherry Street
1st Street and Sycamore Street
12th Street and Cherry Street
4th Street and Walnut Street

(Ord. 1999-5, S1, May 3, 1999) (Ord. 1998-3, S1, May 4, 1998) (Ord. 1997-2, S1, July 21, 1997) (Ord. 1996-8, S1, Oct. 21, 1996) (Ord. 1992-8, S1, July 20, 1992) (Ord. 1991-2, S2, March 4, 1991)

9.24.030 Erection of Signs. The City of Petersburg shall erect and maintain proper stop signs and other traffic signal signs deemed appropriate, to signal to the general public that traffic must comply with the requirements at the intersections. (Ord. 2006-1, S2, Feb. 6, 2006) (Ord. 1999-5, S2, May 3, 1999) (Ord. 1998-3, S2, May 4, 1998) (Ord. 1997-2, S2, July 21, 1997) (Ord. 1996-8, S2, Oct. 21, 1996) (Ord. 1995-8, S2, Aug. 21, 1995) (Ord. 1992-17, S2, Sept. 8, 1992) (Ord. 1992-8, S2, July 20, 1992) (Ord. 1992-2, S4, March 16, 1992) (Ord. 1991-2, S3, Mar. 4, 1991)

9.24.040 Enforcement. The Police Department of the City of Petersburg shall enforce this ordinance and shall report violations to the ORDINANCE VIOLATIONS BUREAU of the City of Petersburg. (Ord. 2006-1, S3, Feb. 6, 2006) (Ord. 1999-5, S3, May 3, 1999) (Ord. 1998-3, S3, May 4, 1998) (Ord. 1997-2, S3, July 21, 1997) (Ord. 1996-8, S3, Oct. 21, 1996) (Ord. 1995-8, S3, Aug. 21, 1995) (Ord. 1992-17, S3, Sept. 8, 1992) (Ord. 1992-8, S3, July 20, 1992) (Ord. 1992-2, S5, March 16, 1992) (Ord. 1991-2, S4, March 1, 1991)

9.24.050 Penalty for Violation. The penalty for each violation of this ordinance shall be a fine in the sum of TWENTY FIVE DOLLARS (\$25.00), which sum shall be collected as provided by Petersburg Municipal Code, Title 1, (Chapter 1.42) which created an ORDINANCE VIOLATIONS BUREAU. (Ord. 2006-1, S4, Feb. 6, 2006) (Ord. 1997-2, S4, July 21, 1997) (Ord. 1996-8, S4, Oct. 21, 1996) (Ord. 1995-8, S4, Aug. 21, 1995) (Ord. 1992-17, S4, Sept. 8, 1992) (Ord. 1992-8, S4, July 20, 1992) (Ord. 1992-2, S6, March 16, 1992) (Ord. 1991-2, S5, March 1, 1991)

Chapter 9.28

ONE - WAY STREETS

Sections:

9.28.010	One - Way Streets
9.28.040	Proper Signage
9.28.050	Enforcement
9.28.060	Penalty

9.28.010 One - Way Streets. The following portion of GOODLET STREET in the City of Petersburg, is hereby designated a one-way street in the Northeast direction, toward Petersburg Elementary School, between 9th Street and 10th Street. (Ord. 1992-2, S1, March 16, 1992)

9.28.040 Proper Signage. The City of Petersburg shall erect and maintain proper STOP signs and other traffic signal signs, to signal to the general public, that traffic must comply with the one-way, turning, and stop provisions of this Ordinance. (Ord. 1992-2, S4, March 16, 1992)

9.28.050 Enforcement. The Police Department of the City of Petersburg shall enforce this Ordinance, and shall report violations to the ORDINANCE VIOLATIONS BUREAU, of the City of Petersburg. (Ord. 1992-2, S5, March 16, 1992)

9.28.060 Penalty. The penalty for each violation of this Ordinance shall be a fine in the sum of twenty-five dollars (\$25.00) which sum shall be collected as provided by Petersburg City Ordinance No. 1989-2, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1992-2, S6, March 16, 1992)

Chapter 9.31

RIGHT TURN ONLY

Sections:

9.31.020	Right Turn Only Intersection
9.31.040	Proper Signage
9.31.050	Enforcement
9.31.060	Penalty

9.31.020 Right Turn Only Intersection. Vehicular traffic, motorized and non-motorized, proceeding in the Southwesterly direction on GOODLET STREET in the City of Petersburg, at the intersection of GOODLET STREET and 10TH STEET, shall turn only RIGHT, which is Northwesterly onto 10th Street. (Ord. 1992-2, S2, March 16, 1992)

9.31.040 Proper Signage. The City of Petersburg shall erect and maintain proper STOP signs and other traffic signal signs, to signal to the general public, that traffic must comply with the one-way, turning, and stop provisions of this Ordinance. (Ord. 1992-2, S4, March 16, 1992)

9.31.050 Enforcement. The Police Department of the City of Petersburg shall enforce this Ordinance, and shall report violations to the ORDINANCE VIOLATIONS BUREAU, of the City of Petersburg. (Ord. 1992-2, S5, March 16, 1992)

9.31.060 Penalty. The penalty for each violation of this Ordinance shall be a fine in the sum of twenty-five dollars (\$25.00) which sum shall be collected as provided by Petersburg City Ordinance No. 1989-2, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1992-2, S6, March 16, 1992)

Chapter 9.32

LOAD LIMITS

Sections:

9.32.010	Large Vehicle Defined
9.32.020	Large Vehicles on City Streets
9.32.030	Exemptions
9.32.040	Special Exceptions
9.32.050	Effective Date
9.32.060	Penalty for Violation

9.32.010 Large Vehicle Defined. For purposes of this ordinance a LARGE VEHICLE shall be defined as follows:.

Group A: Any combination of vehicles with a GCWR* of 26,001 or more pounds provided the GCWR* of the vehicle (s) being towed is in excess of 10,000 pounds.

Examples include but are not limited to:

- Tractor-semitrailer
- Truck & Trailer
- Double/Triple Trailers
- Tank Vehicles
- HAZMAT ***
- Passenger Vehicles

Group B: Any single vehicle with a GVWR** of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR**.

Examples include but are not limited to:

- Straight trucks 26,001 or more pounds GVWR**
- Buses 26,001 or more pounds, 16 passengers including driver
- Trailer not in excess of 10,001 pounds GVWR**
- Tank vehicles
- HAZMAT***
- Passenger Vehicles

Group C: Any single vehicle less than 26,001 pounds GVWR** or any such vehicle towing a vehicle not in excess of 10,001 pounds GVWR**. This group applies to vehicles which are placarded for hazardous

materials or designed to transport 16 or more persons, including the driver, or delivery vans.

Examples include but are not limited to:

- Single or combination vehicles, less than 26,001 pounds GVWR**
- Buses less than 26,001 GVWR** and designed to transport more than 16 passengers including driver
- HAZMAT***
- Passenger Vehicles
- Delivery Vans

Group D: Any vehicles registered as a recreation vehicle or trailer for the primary use of transporting the owner's family members or guests or their possessions for non-business purposes.

Examples include but are not limited to:

- Campers
- RVs
- Trailers for transporting personal possessions or equipment

Group E: All other motor trucks, tractors, trailers, buses, house trailers, semi-trailers, farm machinery and equipment having a load capacity in excess of 1 1/2 tons, or a length in excess of 19 feet, or width in excess of 7 feet.

*	GCWR	Gross Combine Weight Rating
**	GVWR	Gross Vehicle Weight Rating
***	HAZMAT	Hazardous Materials

(Ord. 1994-10, S1, Nov. 21, 1994)

9.32.020 Large Vehicles on City Streets. Unless specifically exempted or excepted herein, it shall be unlawful for any large vehicle to be parked on any City street within the corporate limits of the City of Petersburg. (Ord. 1994-10, S2, Nov. 21, 1994)

9.32.030 Exemptions. The parking of large vehicles upon the streets of the City of Petersburg shall be allowed under the following circumstances:

- (1) When necessary for the preservation of life or property, e.g., fire or other emergency vehicles;
- (2) When necessary, in connection with the provision of service upon or to repair real or personal property provided said service or repair is being

performed by authorized service personnel in the course or scope of their employment;

- (3) When necessary in order for the operator of a large vehicle to load or unload, provided, however, that while loading and unloading, the operator of the large vehicle shall take precautions appropriate to the circumstances to insure that the large vehicle is visible to other vehicles using the street, which precautions shall include, but not be limited to, the following:
 - (a) The large vehicle must be properly attended and marked, front and rear, with a traffic cone or other similar device;
 - (b) The large vehicle must be parked in such a manner as to cause only a minimum obstruction to the regular flow of traffic;
 - (c) When loading or unloading in darkness or semi-darkness, the large vehicle's flashers, front and rear, must be turned on and operating.
- (4) When necessary for the loading or unloading of passengers on or from buses, including, but not limited to school buses, City buses, and church buses, with the further provision that after unloading passengers, no bus shall remain parked on a City street for more than 30 minutes. If more than 30 minutes shall intervene between the time any such bus off-loads and on-loads its passengers, said bus shall move to another location not upon a City street. (Ord. 1994-10, S3, Nov. 21, 1994)

9.32.040 Special Exceptions. Upon application to the Common Council, a special exception from the regulations of this Ordinance may be granted, upon a finding by the Common Council that the vehicle and/or requested parking of the vehicle under the specific conditions to be enumerated by the Common Council, will not unreasonably adversely affect the property, safety, health, or welfare of any citizen of the City of Petersburg.

Upon the granting of a special exception to a person applying therefor, the person for whom the exception is granted, shall be relieved from the regulations of this Ordinance, but only under the specific conditions and requirements enumerated in writing by the Common Council, in granting the special exception. (Ord. 1994-10, S4, Nov. 21, 1994)

9.32.050 Effective Date. This ordinance shall be effective 90 days from the date of its first publication. (Ord. 1994-10, S5, Nov. 21, 1994)

9.32.060 Penalty for Violation. Any person, firm or corporation violating any of the provisions of this Ordinance shall be fined \$25.00 for each offense. Each 24 hour period or part thereof, of violation, shall be considered a separate offense. If the vehicle is allowed to remain on the street for over 72 hours, then, in addition to the fines as set forth herein, the vehicle may be towed at the owners or operator's expense. The fines shall be

collected as provided by Petersburg City Ordinance No. 1989-2, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1994-10, S6, Nov. 21 1994)

Chapter 9.33

COMMERCIAL VEHICLE TRAFFIC PROHIBITED

Sections:

- 9.33.010** Streets where Commercial Vehicles are Prohibited
- 9.33.020** Delivery of Goods or Services Allowed
- 9.33.030** Penalty for Violation
- 9.33.040** Erection of Signs

9.33.010 Streets where Commercial Vehicles are Prohibited. This ordinance shall apply to the following portions of the following streets:

- (1) All portions of Nichols Avenue;
- (2) All portions of Lakeview Drive;
- (3) From Indiana State Highway # 61 - 9th Street - to Indiana State Highway #356 - 12th Street - on Walnut Street;
- (4) From Main Street to Walnut Street on 11th Street;
- (5) From Indiana State Highway #61 - 9th Street - to Indiana State Highway #356 - 12th Street - on Locust Street.
(Ord. 1995-3, S1, July 17,1995)

9.33.020 Delivery of Goods or Services Allowed. Through commercial trucks and other commercial vehicles shall not be operated on the streets or portions of streets described in Section 9.33.010. It shall be unlawful for any person to operate or move, or for the owner to cause or knowingly permit to be operated or moved, any commercial truck or other commercial vehicle, upon any portion of any street described in Section 9.33010, unless the vehicle is then engaged in providing goods or services to a resident or business on the street. (Ord. 1995-3, S2, July 17,1995)

9.33.030 Penalty for Violation. Persons who violate this ordinance shall be fined in the sum of \$100.00 for each violation. (Ord 1995-3, S3, July 17,1995)

9.33.040 Erection of Signs. This ordinance shall not be effective until signs are erected and maintained specifying the terms of this ordinance, at each end of that portion of the streets described in Section 9.33.010. (Ord. 1995-3, S4, July 17, 1995)

Chapter 9.40
SPEED LIMITS

Sections:

9.40.050 Speed Limit in Hornady Park

9.40.050 Speed Limit in Hornady Park.

- (1) A speed limit of 15 miles per hour is hereby declared and ordered for all public ways within the bounds of HORNADY PARK. (Ord. 1992-9, S1, July 20, 1992)
- (2) This 15 miles per hour speed limit, applies to all vehicles of every description, motorized and non-motorized. (Ord. 1992-9, S2, July 20, 1992)
- (3) The City of Petersburg shall erect and maintain proper speed limit signs for the Hornady Park public ways, to signal to the general public, that the speed limit is 15 miles per hour. (Ord. 1992-9, S3, July 20, 1992)
- (4) The Police Department of the City of Petersburg shall enforce this ordinance, and shall report violations to the ORDINANCE VIOLATIONS BUREAU of the City of Petersburg. (Ord. 1992-9, S4, July 20, 1992)
- (5) The penalty for each violation of this ordinance shall be a fine in the sum of \$25.00, which sum shall be collected as provided by Petersburg City Ordinance 1989-2, providing for the creation of an ORDINANCE VIOLATIONS BUREAU. (Ord. 1992-9, S5, July 20, 1992)

Chapter 9.49

ADULT SCHOOL CROSSING GUARDS

Sections:

9.49.010	Creation and Appointment
9.49.020	Powers and Duties
9.49.030	Compensation
9.49.040	Uniforms
9.49.050	Waiver of Liability

9.49.010 Creation and Appointment. There is hereby created a special police unit, the members of which shall be of good character and not less than twenty-one (21) years of age. The members of the special police unit shall serve as adult school crossing guards for the protection of school children in the City of Petersburg, Indiana. Appointments to the special police unit shall be made by the Mayor upon recommendation of the Chief of Police, by and with the approval of the Board of Public Works and Safety of the City of Petersburg, Indiana. (Ord. 1979-3 S1, April 3, 1979)

9.49.020 Powers and Duties. The special police unit shall function under the immediate direction of the Petersburg Chief of Police or in his absence, the senior officer on duty. Members of the special police unit shall possess all the powers, privileges, and duties of regular patrolmen but only while fulfilling the specific responsibilities assigned to them. Members shall be subject to the rules and regulations as adopted by the Board of Public Works and Safety of the City of Petersburg, provided, however, that members of the special police unit shall not be considered employees of the City of Petersburg, nor shall membership in the special police unit constitute membership in the regularly constituted police department, nor shall any member of the special police unit be entitled to any right or privilege of members of the regularly constituted police department, nor to any other prerequisite or emolument attaching to membership in said regularly constituted police department. (Ord. 1979-3 S2, April 3, 1979)

9.49.030 Compensation. No member of the special police unit shall receive any compensation from the City for his services as a member of the special police unit excepting only to the extent, if any, specifically provided for in the annual Appropriation Ordinance of the City of Petersburg. (Ord. 1979-3, S3, April 3, 1979)

9.49.040 Uniforms. The members of the special police unit shall furnish their own uniforms and other necessary equipment, the design of which shall be established by the Board of Public Works and Safety of the City of Petersburg, without reimbursement of costs for the City, excepting only to the extent, if any, specifically provided for in the annual Appropriation Ordinance of the City of Petersburg. (Ord. 1979-3 S4, April 3, 1979)

9.49.050 Waiver of Liability. Each member of the special police unit shall promptly after being appointed as a member of said unit, execute and deliver to the City Clerk an instrument in form to be approved by the City Attorney, releasing the City from all liability for any injury or death of such member in the line of duty as a member of said unit, excepting only such liability, if any, as shall be attributed to willful and wanton negligence on the part of the City. (Ord. 1979-3, S5, April 3, 1979)

Chapter 9.60

ABANDONED MOTOR VEHICLES

Sections:

9.60.010	Compliance with State Laws and Regulations
9.60.020	Establishment of ABANDONED VEHICLE DEPARTMENT
9.60.030	Definitions
9.60.040	Exempt Vehicles
9.60.050	Responsibility of Owner
9.60.060	Vehicle in Possession of a Non-owner
9.60.070	Tagging Abandoned Vehicle or Parts
9.60.080	Self-help by Owner of Rental Property
9.60.090	Abandoned Vehicle Report
9.60.100	Duties of the Bureau of Motor Vehicles
9.60.110	Sales by the Bureau of Motor Vehicles or the Department
9.60.120	Bill of Sale
9.60.130	Removal and Storage Costs
9.60.140	Proceeds of Sale
9.60.150	Abandoned Vehicle Fund
9.60.160	Allowable Charges for Towing and Storage
9.60.170	Power to Facilitate Ordinance
9.60.180	Immunity from Liability
9.60.190	Approved towing Services and Storage Facility

9.60.010 Compliance with State Laws and Regulations. The City of Petersburg intends that this Ordinance shall not conflict with any provision of Indiana law or regulation, and if Indiana statutes or regulations are amended, to conflict with any provision in this Ordinance, then this Ordinance shall be considered amended, to comply with the amendments to statutes or regulations. (Ord. 2000-8, SI, Dec. 4, 2000)

9.60.020 Establishment of ABANDONED VEHICLE DEPARTMENT.

- (1) There is hereby established the PETERSBURG ABANDONED VEHICLE DEPARTMENT pursuant to IC 9-22-1-3, which shall be authorized and responsible for the administration of the provisions of this ordinance pertaining to the removal, storage and disposal of abandoned vehicles and parts.
- (2) The PETERSBURG ABANDONED VEHICLE DEPARTMENT shall consist of the Mayor of Petersburg, the Petersburg City Services Manager, and all members of the Petersburg City Police Department. (Ord. 2000-8, SII, Dec. 4, 2004)

9.60.030 Definitions.

- (1) "Vehicle" has the meaning stated in IC 9-13-2-196 (d), and refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, or a motorized bicycle; and as those terms are defined in IC 9-13-2.
- (2) "Abandoned Vehicle" has the meaning stated in IC 9-13-2-1, as follows:
 - (a) A vehicle located on public property illegally.
 - (b) A vehicle left on public property without being moved for three (3) days.
 - (c) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
 - (d) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours.
 - (e) A vehicle from which the engine, transmission, or differential has been removed, or that is otherwise partially dismantled or inoperable and left on public property.
 - (f) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than the abandoned vehicle law, if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.
 - (g) A vehicle that is at least three (3) model years old, is mechanically inoperable and is left on private property continuously in a location visible from public property for more than twenty (20) days.
- (3) "Parts" has the meaning stated in IC 9-13-2-122, and refers to all components of a vehicle that, as assembled, do not constitute a complete vehicle.
- (4) "Officer" has the meaning stated in IC 9-22-1-2, as follows:
 - (a) A regular member of the state police department.

- (b) A regular member of a City or town police department.
- (c) A town marshal or town deputy marshal.
- (d) A regular member of the county police force.
- (e) An individual of an agency designated by ordinance of the fiscal body.

Each member of the PETERSBURG ABANDONED VEHICLE DEPARTMENT is an officer for the purpose of enforcing this ordinance. (Ord. 2000-8, SIII, Dec. 4, 2000)

9.60.040 Exempt Vehicles. This ordinance does not apply to a vehicle described in IC 9-22-1-1, as follows:

- (1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways.
- (2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.
- (3) A vehicle located on a vehicle sale lot or at a commercial vehicle servicing facility.
- (4) A vehicle located upon property licensed or zoned as an automobile scrap yard.
- (5) A vehicle registered and licensed under IC 9-18-12 as an antique vehicle. (Ord. 2000-8, SIV, Dec. 4, 2004)

9.60.050 Responsibility of Owner. The person who owns an abandoned vehicle or parts is responsible for the abandonment and is liable for all of the costs incidental to their removal, storage, and disposal. (Ord. 2000-8, SV, Dec. 4, 2004)

9.60.060 Vehicle in Possession of a Non-Owner. When an officer discovers a vehicle in the possession of a person, other than the person who owns the vehicle, and the person cannot establish the right to possession of the vehicle, the officer shall follow the procedure provided by IC 9-22-1-5,-6,-7,-8,-9, and -10, as follows:

- (1) The officer shall cause the vehicle to be removed and taken to a storage facility.
- (2) The officer shall notify the Bureau of Motor Vehicles, within 72 hours, of the location and description of the vehicle; the Bureau shall then cause a

search to be made to determine and notify the person who owns the vehicle, as provided by IC 9-22-1-20.

- (3) If the Bureau cannot determine who owns the vehicle, the Bureau shall declare the vehicle abandoned, and provide for disposal of it, pursuant to IC 9-22-1.
- (4) If the properly identified person who owns or holds a lien on the vehicle appears at the storage site before disposal of the vehicle or parts, and pays all costs incurred against the vehicle or parts at that time, the vehicle or parts shall be released.
- (5) The towing operator shall notify the Bureau of the release, and the release shall state the name, signature and address of the person who owns or holds a lien on the vehicle, a description of the vehicle or parts, the costs paid and the date of release.
- (6) If the person who owns or holds a lien on the vehicle does not appear and pay all costs, the bureau shall declare the vehicle abandoned, and provide for disposal under IC 9-22-1. (Ord. 2000-8, SVI, Dec. 4, 2000)

9.60.070 Tagging Abandoned Vehicle or Parts.

- (1) When the officer finds, or is notified of, a vehicle or parts, believed to be abandoned, the officer shall tag the vehicle or parts, in a prominent place, with the following information, as provided by IC 9-22-1-11, as follows:
 - (a) The date, time, officer's name, public agency and address and telephone number to contact for information.
 - (b) That the vehicle and parts are considered abandoned.
 - (c) That the vehicle or parts will be removed after 72 hours.
 - (d) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage and disposal of the vehicle.
 - (e) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within 72 hours.
- (2) If the vehicle or parts tagged, is not removed within 72 hours, the officer shall prepare a written Abandoned Vehicle Report of the vehicle or parts, including information on the condition, missing parts, and other facts that might substantiate the estimated market value of the vehicle or parts. The

officer shall also obtain a photograph of the vehicle as provided by IC 9-22-1-12.

- (3) If, in the opinion of the officer, the market value of an abandoned vehicle or parts is less than \$500.00, the officer shall immediately dispose of the vehicle to an automobile storage facility and forward a copy of the Abandoned Vehicle Report and photograph or photographs, to the Bureau of Motor Vehicles, as provided by IC 9-22-1-13. The photographs may be taken by the officer, the towing service, or the storage facility. The Petersburg Abandoned Vehicle Department shall retain the original records and photographs for at least two (2) years.

A vehicle which is 10 model years or older, that has extensive deterioration to the interior or exterior, or is inoperable; or a vehicle which is 5 model years or older, which has been extensively destroyed by fire, explosion, vandalism, or other causes, excluding traffic accidents and is inoperable; is presumptively valued at \$100 or less, as provided by 140 IAC 5-1-4.

- (4) If, in the opinion of the officer, the market value of the abandoned vehicle or parts is at least \$500.00, the officer shall, before placing a notice tag on the vehicle or parts, make a reasonable effort to ascertain the person who owns the vehicle or parts, or who may be in control of the vehicle or parts. After 72 hours the officer shall require the vehicle or parts to be towed to a storage facility as provided by IC 9-22-1-14. (Ord. 2000-8, SVII, Dec. 4, 2000)

9.60.080 Self-Help by Owner of Rental Property.

(1) A person who owns rental property, and who finds a vehicle believed to be abandoned on that person's rental property, shall attach, in a prominent place, on the vehicle, a notice tag containing the following information, as provided by IC 9-22-1-15:

- (a) The date, time, name and address of the person who owns the rental property, and a telephone number to contact for information.
- (b) That the vehicle is considered abandoned.
- (c) That the vehicle will be removed after 72 hours.
- (d) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage and disposal of the vehicle.

- (e) That the person who owns the vehicle may avoid cost by removal of the vehicle or parts within 72 hours.
- (2) If, after 72 hours, the person who owns the vehicle believed to be abandoned on the rental property, has not removed the vehicle from the rental property, the person who owns the rental property may have the vehicle towed, as provided by IC 9-22-1-16. The towing operator shall do the following:
- (a) Contact the Bureau of Motor Vehicles to obtain the name and address of the person who owns the vehicle.
 - (b) Deliver by Certified Mail, a copy of the information contained by the notice tag to the person who owns the vehicle, not later than five (5) business days after the vehicle is removed.
 - (c) Notwithstanding the 72 hours requirement, in an emergency situation, a vehicle may be removed immediately. "Emergency situation" means that the presence of the abandoned vehicle interferes physically with the conduct of normal business operations of the owner of the rental property or poses a threat to the safety or security of persons or property, or both.
 - (d) The towing operator shall give notice to the Petersburg Abandoned Vehicle Department and the Bureau of Motor Vehicles that the abandoned vehicle is in the possession of the towing operator.
- (3) If a person who owns or controls private property, complains to the Petersburg Abandoned Vehicle Department that a vehicle has been left on the property for at least 48 hours without the consent of the person who owns or controls the property, then the officer shall follow the same procedures as set forth above, in Section 9.60.070. (Ord. 2000-8, SVIII, Dec. 4, 2004)

9.60.090 Abandoned Vehicle Report. Within 72 hours after removal of an abandoned vehicle to a storage facility, under Sections 9.60.060, 9.60.070, or 9.60.080 above, either the Petersburg Abandoned Vehicle Department or the storage facility, shall prepare and forward to the Bureau of Motor Vehicles, an Abandoned Vehicle Report, containing a description of the vehicle, including the following information concerning the vehicle.

- (1) Make
- (2) Model
- (3) Identification number

- (4) Number of the license plate

The Petersburg Abandoned Vehicle Department or the storage facility, whichever prepares the Abandoned Vehicle Report, shall request that the Bureau of Motor Vehicles advise the Petersburg Abandoned Vehicle Department or the storage facility of the name and most recent address of the person who owns or holds a lien on the vehicle.

If the vehicle or parts are in such a condition that vehicle identification numbers or other means of identification are not available to determine the person who owns or holds a lien on the vehicle or parts, they may be disposed of to an automobile storage facility and a copy of the Abandoned Vehicle Report and photograph or photographs of the vehicle or parts shall be forwarded to the Bureau of Motor Vehicles, as provided by IC 9-22-1-13. The Petersburg Abandoned Vehicle Department shall retain the original records and photographs for at least two (2) years. (Ord. 2000-8, SIX, Dec. 4, 2000)

9.60.100 Duties of the Bureau of Motor Vehicles. Upon receipt of an abandoned vehicle report under Section 9.60.090, the Bureau shall do the following;

- (1) Conduct a reasonable search through the national automobile theft bureau and the state police department to determine whether the vehicle or parts have been reported as stolen.
- (2) Conduct a reasonable search of bureau records to determine the person who owns the vehicle or parts or the person who holds the lien of record.
- (3) If a reasonable search discloses the name and address of the person who owns or holds a lien on the vehicle, mail a written notice, by first class mail, to:
 - (a) The person who owns the vehicle, with a copy to each person who holds a lien on the vehicle if the bureau disposes of the vehicle; or
 - (b) The public agency if the public agency disposes of the vehicle;

Indicating that the vehicle or parts have been impounded at a certain location and must be removed within twenty (20) days after the date of mailing of the notice and advising that the vehicle or parts will be disposed of after that time. The notice must advise the person who owns or holds a lien on the vehicle that all costs incurred in removing and storing the vehicle or parts are the person's legal responsibility. (Ord. 2000-8, SX, Dec. 4, 2004)

9.60.110 Sales by the Bureau of Motor Vehicles or the Department. If the person who owns or holds a lien upon a vehicle does not appear within twenty (20) days after the mailing of a notice under Section 9.60.090, the Bureau of Motor Vehicles or the Petersburg Abandoned Vehicle Department shall sell the vehicle or parts.

- (1) If the bureau sells the vehicle or parts, it shall be to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except only one (1) newspaper insertion one (1) week before the public sales is required.

If the department sells the vehicle or parts, it may either:

- (a) Sell to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except that only one (1) newspaper insertion one (1) week before the public sale is required.

or

- (b) Sell the vehicle or parts as unclaimed property under IC 36-1-11. The twenty (20) day period for the property to remain unclaimed is sufficient for a sale under this subdivision.

(Ord. 2000-8, SXI, Dec. 4, 2000)

9.60.120 Bill of Sale. A person who purchases a vehicle under Section 9.60.110 shall be furnished a bill of sale under IC 9-29-7. A person who purchases a vehicle under Section 9.60.110 must:

- (1) Present evidence from a law enforcement agency that the vehicle purchased is roadworthy, if applicable; and,
- (2) Pay the appropriate title fee under IC 9-29-4 to obtain a certificate of title under IC 9-17 for the vehicle.

(Ord. 2000-8, SXII, Dec. 4, 2000)

9.60.130 Removal and Storage Costs. The cost for removal and storage of an abandoned vehicle or parts not claimed by the person who owns or holds a lien on a vehicle shall be paid from the Abandoned Vehicle Fund established under Section 9.60.150. The charge payable by the person who owns or holds a lien on a vehicle for towing, storing, or removing an abandoned vehicle or parts may not exceed the limits established by Section 9.60.160. (Ord. 2000-8, SXIII, Dec. 4, 2000)

9.60.140 Proceeds of Sale. The proceeds of sale of an abandoned vehicle or parts under Section 9.60.110 shall be credited against the cost of the removal, storage, and disposal of the vehicle. (Ord. 2000-8, SXIV, Dec. 4, 2000)

9.60.150 Abandoned Vehicle Fund.

- (1) There is hereby established for the City of Petersburg, an ABANDONED VEHICLE FUND, as required by IC 9-22-11-30.
- (2) If the department sells the vehicle or parts, the proceeds from the sale of abandoned vehicles or parts, including:
 - (a) Charges for bills of sale; and
 - (b) Money received from persons who own or hold liens on vehicles for the cost of removal or storage of vehicles;

Shall be deposited with the City Clerk/Treasurer and placed by the Treasurer in the unit's ABANDONED VEHICLE FUND.

- (3) The cost incurred by the department in administering this ordinance shall be paid from the ABANDONED VEHICLE FUND.
- (4) The City of Petersburg shall annually appropriate sufficient money to the fund to carryout this ordinance. Money remaining in the fund at the end of a year remains in the fund and does not revert to the general fund.

(Ord. 2000-8, SXV, Dec. 4, 2000)

9.60.160 Allowable Charges for Towing and Storage

- (1) Charges for providing towing services for abandoned vehicles, shall be the reasonable value of the service rendered according to the usual and customary charges in the Petersburg community, and pursuant to 140 IAC 5-1-1 (b), the City sets the maximum amount it will pay for any one towing charge at \$1.00.
- (2) Charges for storage for abandoned vehicles and parts, shall be the reasonable value of the service rendered according to the usual and customary charges in the Petersburg community, and pursuant to 140 IAC 5-1-2 (c), the City sets the maximum amount it will pay for storage charges at \$1.00 per day.

(Ord. 2000-8, SXVI, Dec. 4, 2000)

9.60.170 Power to Facilitate Ordinance. To facilitate the removal of abandoned vehicles or parts, the City of Petersburg may:

- (1) Employ personnel;
- (2) Acquire equipment, property, and facilities; and

- (3) Enter into towing and storage contracts.

(Ord. 2000-8, SXVII, Dec. 4, 2000)

9.60.180 Immunity from Liability. Pursuant to IC 9-22-1-32, the following are not liable for loss or damage to a vehicle or parts occurring during the removal, storage, or disposition of a vehicle or parts under this ordinance:

- (1) A person who owns or leases, or occupies property from which an abandoned vehicle or parts are removed.
- (2) The City of Petersburg and the Petersburg Abandoned Vehicle Department.
- (3) A towing service.
- (4) An automobile scrap yard.

(Ord. 2000-8, SXVIII, Dec. 4, 2000)

9.60.190 Approved Towing Service and Storage Facility. Any towing service or storage facility which is used for the removal and storage of abandoned vehicles or parts by law enforcement officers, and which has not been disapproved by the Bureau of Motor Vehicles, because of violation of the Bureau's rules and regulations, may be used by the City for towing and storage of abandoned vehicles and parts. (Ord. 2000-8, SXIX, Dec. 4, 2000)

Chapter 9.80

PERMITS FOR COMMERCIAL VEHICLES

Sections:

9.80.010 Curtailment of Permits for Commercial Vehicles

9.80.010 Curtailment of Permits for Commercial Vehicles. The interests of taxpayers and the general public using the Highways for private passenger vehicles must be recognized as paramount in determining what use should appropriately be made of the public highways; that the public interest requires some diminishment of the use of public highways for commercial vehicles operated for hire; that the preservation and safe use of the highways for private noncommercial motorist demands a curtailment in use of the public highway by commercial vehicles for hire; and that a copy of this resolution be sent by the Clerk of the Common Council of the City of Petersburg, Indiana, to the Chairman of the Public Service Commission of Indiana and the Director of Public Safety of the State of Indiana, to express to them our belief that there are enough commercial vehicles using these highways and no further permits and certificates should be granted at the present time and further that the existing motor vehicles laws regulating such traffic on the highways should be rigidly enforced. (Resolution, March 19, 1934)

Chapter 9.83

UNLAWFUL TO RIDE SLEDS ATTACHED TO MOTOR VEHICLES

Sections:

9.83.010 Prohibited

9.83.010 Prohibited. It shall be unlawful for any person to ride upon any sled, when such sled is attached to or connected with an automobile or other motor vehicle at a time when said automobile or the motor vehicle is moving and being driven. (Ordinance, Jan. 20, 1930)