

TITLE 9

VEHICLES AND TRAFFIC

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Chapter 9.01

DISPOSAL OF INOPERABLE AND UNLICENSED VEHICLES

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9.01.010 Public nuisance. Because of the danger to health from vermin and insects and because of the danger to the safety of children attracted by such vehicles, abandoned and junked motor vehicles are hereby declared to be nuisances, except in lawfully operated junk yards. (Ord. 02-11, S9.01.010, July 10, 2002)

9.01.020 Time period. It shall be unlawful for any person to store or to allow to remain in the open upon public or private property within the Town of Ferdinand, Indiana, any disassembled, or inoperable or unlicensed, or any junked, wrecked or abandoned motor vehicle for a period of five (5) or more days on public property, or for a period of fifteen (15) or more days on private property, unless it is in connection with an automotive sales or repair business enterprise. (Ord. 02-11, S9.01.020, July 10, 2002)

9.01.030 Issuance of removal order on public property. Whenever the Building and Premises Standards Officer of the Town of Ferdinand, Indiana, or a police officer of the Town of Ferdinand, Indiana, shall find any such vehicle placed or stored in the open upon public property within the corporate limits of the Town of Ferdinand, Indiana, he shall issue an order to the owner of such vehicle to remove such vehicle within three (3) days. Notice of such order shall be placed upon said vehicle. If such vehicle is not removed within three (3) days pursuant to said order and notice, the Building and Premises Standards Officer or police officer shall cause such vehicle to be removed by a junk or salvage yard or wrecker service, the cost and expense of such removal by the junk or salvage yard or wrecker service to be paid by the owner of such vehicle. (Ord. 02-11, S9.01.030, July 10, 2002)

9.01.040 Issuance of removal order on private property. Whenever the Building and Premises Standards Officer of the Town of Ferdinand, Indiana, or a police officer of the Town of Ferdinand, Indiana, shall find any such vehicle placed or stored in the open upon private property within the corporate limits of the Town of Ferdinand, Indiana, he shall issue an order to the owner of such vehicle to remove such vehicle within ten (10) days. Notice of such order shall be placed upon such vehicle and copies of such notice shall be served upon any adult occupying the real estate on which the vehicle is located and also upon the owner of the vehicle, if his name and whereabouts are known. If no occupant of the real estate or owner of such vehicle can be found, a notice affixed to any building on the real estate shall constitute notice to the owner and occupant of the real estate and to the

owner of the vehicle. If there is no building on the real estate said notice may be affixed elsewhere on the real estate. If such vehicle is not removed within ten (10) days pursuant to said order and notice, and if said order is not stayed by the issuing officer pursuant to written request showing good cause for a permanent or temporary stay, the Building and Premises Standards Officer of the Town of Ferdinand, Indiana, or a police officer of the Town of Ferdinand, Indiana, shall cause such vehicle to be removed by a junk or salvage yard or wrecker service, the cost and expenses of such removal by the junk or salvage yard or wrecker service to be paid by the owner of such vehicle. (Ord. 02-11, S9.01.040, July 10, 2002)

9.01.050 Exceptions. The provisions of this chapter shall not apply to auto salvage yards and/or junk yards that are duly operated as a commercial business. (Ord. 02-11, S9.01.050, July 10, 2002)

9.01.060 Penalty for violation. Any person, firm or corporation who violated any of the provisions of this chapter or who interferes in any way whatsoever with the due process of enforcement of any of the provisions of this chapter or who does not obey within the time fixed any order issued pursuant to this chapter, and who shall be found guilty thereof, shall be subject to a fine and penalty in the amount of Fifty Dollars (\$50.00). Each motor vehicle involved shall constitute a separate offense and a separate offense shall be deemed committed upon each day during which a violation occurs or continues. (Ord. 02-11, S9.01.060, July 10, 2002)

9.01.070 Separability of provisions. If any clause, sentence, paragraph, section, or portion of this chapter for any reason shall be adjudged invalid by a Court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this chapter, but shall be confined in its operation to the clause, sentence, paragraph, section or portion of this chapter directly involved in the controversy in which judgment was rendered. (Ord. 02-11, S9.01.070, July 10, 2002)

Chapter 9.02

DEFINITIONS

Sections:

- 9.02.010 Driver
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- 9.02.030 Livestock Vehicle
- 9.02.040 Non-moving Traffic Offense
- 9.02.050 Park, Parked, Parking
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- 9.02.070 Street
- 9.02.080 Town
- 9.02.090 Traffic
- 9.02.100 Traffic Control Device
- 9.02.110 Traffic Offense
- 9.02.120 Vehicle

9.02.010 Driver. Every person who drives or is in actual physical control of a vehicle.

9.02.020 Flagman or Flagmen. Any authorized person or persons directing traffic in accordance with the provisions of this ordinance at a worksite.

9.02.030 Livestock vehicle. Any vehicle designed for the purpose of carrying livestock or poultry or any vehicle actually carrying any livestock or poultry.

9.02.040 Non-moving traffic offense. Any violation of this ordinance concerning the parking of a vehicle and any violation of this ordinance concerning a vehicle that is not in motion.

9.02.050 Park, Parked, or Parking. Placing, allowing, permitting or stopping of any vehicle within any street for any purpose other than loading or unloading passengers, freight, goods, wares, or merchandise, provided such loading or unloading of freight, goods, wares, or merchandise shall not exceed one (1) hour; and such unloading of passengers shall not exceed five (5) minutes.

9.02.060 Police officer. Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

9.02.070 Street. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

9.02.080 Town. The Town of Ferdinand, Indiana.

9.02.090 Traffic. Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for purposes of travel.

9.02.100 Traffic control device. All signs, signals, markings, and devices, including railroad advance warning signs, not inconsistent with this ordinance, placed or erected by authority of the Town or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

9.02.110 Traffic offense. Any violation of this ordinance relating to the operation or use of a vehicle and any violation of this ordinance relating to the use of streets by pedestrians or other traffic, except for non-moving traffic offenses.

9.02.120 Vehicle. Every device in, upon, or by which any person or property is or may be transported or driven upon a street, except devices used exclusively upon stationary rails or tracks. (Ord. 0-86-13)

Chapter 9.03

PEDESTRIAN SAFETY ZONES

Sections:

9.03.010 Vehicles Shall Yield to Pedestrians in Safety Zones

9.03.020 Establishment of Pedestrian Safety Zones

9.03.030 Violations

9.03.010 Vehicles Shall Yield to Pedestrians in Safety Zones. Vehicles shall yield the right of way to pedestrians in safety zones as established by State statute or this Code. (Ord. 2014-05, S9.03.010, March 11, 2014) (Ord. 2001-15, S4, Sept. 12, 2001)

9.03.020 Establishment of Pedestrian Safety Zones. There is hereby established a pedestrian safety zone across the following described area:

- (1) Across Michigan Street, a pedestrian safety zone twelve feet (12ft) in width with the center of said safety zone parallel with and twenty-five feet (25ft) south of the center east 15th Street.
- (2) Across Michigan Street, a pedestrian safety zone seven feet (7ft) in width with the center of the safety zone parallel with and sixty feet (60ft) north of the center of east 14th Street.

- (3) Across Vienna Drive, a pedestrian safety zone ten feet (10ft) in width with the center of the safety zone parallel with and three hundred twenty-seven feet (327ft) north of the center of east 14th Street.
- (4) Across Vienna Drive, a pedestrian safety zone eight feet (8ft) in width with the center of the safety zone parallel with and four hundred eight-six feet (486ft) north of the center of east 14th Street.
- (5) Across East 8th Street, a pedestrian safety zone six feet (6ft) in width with the center of the safety zone parallel with and twelve feet (12ft) east of the center of Michigan Street.
- (6) Across West 9th Street, a pedestrian safety zone six feet (6ft) in width with the center of the safety zone parallel with and twenty feet (20ft) west of the center of Missouri Street.
- (7) Across Missouri Street, a pedestrian safety zone six feet (6ft) in width with the center of the safety zone parallel with and twenty-two feet (22ft) north of west 9th Street.
- (8) Across West 5th Street, a pedestrian safety zone ten feet (10ft) in width with the center of the safety zone parallel with the center of the sidewalk on the east side of the Fifth Street Park Shelter House.
- (9) Across East 8th Street, a pedestrian safety zone fifteen feet (15') in width with the eastern boundary of the zone being the western boundary of the Illinois Street right-of-way extended to the south right-of-way line of 8th Street. (Ord. 2015-08, S1, Oct. 13, 2015) (Ord. 2014-05, S9.03.020, March 11, 2014) (Ord. 2001-15, S4, Sept. 12, 2001)

9.03.030 Violations. Whenever a police officer shall find that a violation of this Chapter has been committed, such officer shall immediately prepare in duplicate, a written notice to appear in court containing the name and address of the driver committing the violation, specifying the violation charged, and indicating the time and place where the driver shall appear in court. The Indiana statutory traffic information and summons form as contained in I.C. 9-30-3-6, shall constitute notice in all violations of this Chapter. The penalty for a violation of this Chapter shall be the penalty as proscribed for the same type offense as contained in I.C. 9-21-8. (Ord. 2014-05, S9.03.030, March 11, 2014)

Chapter 9.04

RULES GOVERNING MOVEMENT OF TRAFFIC

Sections:

9.04.008 Vehicles Shall Obey Traffic Control Devices

9.04.008 Vehicles Shall Obey Traffic Control Devices. No driver of a vehicle shall disobey the instructions of any traffic control device placed in accordance with the provisions of this ordinance, unless at the time otherwise directed by a police officer. All traffic shall observe and obey all such traffic control devices including signals, signs and warnings and any and all such directions, signs or warning devices that may be given or displayed by a police officer, or flagman for the purpose of safely controlling traffic movement at the worksite and generally promoting safety there. (Ord. 0-86-13)

Chapter 9.05

COMPRESSION BRAKING PROHIBITED

Sections:

- 9.05.010 Prohibited Times; Exceptions**
- 9.05.020 Signage**
- 9.05.030 Conflicting Ordinances or Parts Repealed**
- 9.05.040 Penalties for Violation**
- 9.05.050 Official Citation**
- 9.05.060 Payment of Fine**
- 9.05.070 Additional Costs Incurred**

9.05.010 Prohibited Times; Exceptions. No operator of a motor vehicle shall use brakes which are in any way activated or operated by the compression of the engine of the motor vehicle or any unit or part thereof instead of using the standard service brake system on any roadway within the corporate jurisdiction of the Town of Ferdinand between the hours of 9:00 p.m. and 7:00 a.m. except in cases of emergency. For purposes of this section, “cases of emergency” are defined as circumstances which present an immediate danger to life or property or the failure of the services brake system.

Emergency Vehicle Exceptions. The prohibition set forth in this subsection shall not apply to “authorized emergency vehicles” whenever the same are responding to an emergency call, when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm. (Ord. 2018-01, S1, Jan. 9, 2018)

9.05.020 Signage. The Street Department is directed to affix appropriate signage reflecting this prohibition. (Ord. 2018-01, S2, Jan. 9, 2018)

9.05.030 Conflicting Ordinances or Parts Repealed. All ordinances or parts of ordinances, in conflict herewith are hereby repealed. This Ordinance is intended to supplement, not replace Ferdinand Municipal Code, 9.06.040 (7) which relate to other noises. (Ord. 2018-01, S3, Jan. 9, 2018)

9.05.040 Penalty for Violation. Violation of this Ordinance shall result in a fine in the amount of One Hundred Dollars (\$100). (Ord. 2018-01, S4, Jan. 9, 2018)

9.05.050 Official Citation. All violations of this Ordinance shall be issued in writing upon the operator on an “Official Citation” form in essential conformity with the form attached hereto as Exhibit A. A copy of the citation shall be filed with the Town’s Ordinance Violations Clerk. (Ord. 2018-01, S5, Jan. 9, 2018)

9.05.060 Payment of Fine. Said fine shall be paid within ten (10) days of the issuance of the citation to the Town's Ordinance Violations Clerk at the Town Hall, who shall issue a receipt in duplicate to the payer. (Ord. 2018-01, S6, Jan. 9, 2018)

9.05.070 Additional Costs Incurred. The Town may collect in addition to any fines owed to the Town, all costs and attorney fees incurred to enforce this Chapter." (Ord. 2018-01, S7, Jan. 9, 2018)

Chapter 9.06

PARKING

Sections:

9.06.005 Definitions

9.06.010 Parking Prohibited

9.06.020 Parking of a Livestock Vehicle

9.06.030 Parking Restricted on Park Property

9.06.035 Disabled Person Parking

9.06.040 Off Street Parking Requirements and Designated Truck Routes

9.06.005 Definitions. Generally, wherever the words set forth in this Section are used, they shall have the meaning ordinarily ascribed to them herein. (Ord. 2000-5, pt. S2, June 28, 2000)

- (1) **Park – Parking.** The word “park” or “parking” shall mean the standing of a vehicle, whether occupied or not, upon a street or upon private property otherwise than temporarily for the purpose of and while actually engaged in loading and unloading merchandise; or in obedience to traffic regulations, traffic signs or signals; or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle. (Ord. 2000-5, pt. S2, June 28, 2000)
- (2) **Commercial Vehicle.** The word “commercial vehicle” shall, for the purpose of this Ordinance (Chapter), mean semitractors, with or without semitrailers; and any and all other vehicles or combination of vehicles exceeding 10,000 lbs. (5 tons) in weight or 40 feet in length engaged solely in commercial usage or for heavy hauling. Nothing herein shall be construed as allowing any semitractor or semi-tractor/trailer which exceeds either the length or weight limitations set forth in I.C. 9-20 to be operated or parked within the Town of Ferdinand. (Ord. 2000-5, pt. S2, June 28, 2000)
- (3) **Semitrailer.** The word “semitrailer” shall mean and include every vehicle with or without motor power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. (Ord. 2000-5, pt. S2, June 28, 2000)
- (4) **Vehicle.** The word “vehicle” shall mean any device in, upon or by which any person or property is or may be transported upon a street, except a device which is operated upon rails or tracks. (Ord. 2000-5, pt. S2, June 28, 2000)

- (5) **Street.** The word “street” shall mean any public street, avenue, road, alley, highway, lane, path or other public place located in the Town of Ferdinand, and established for the use of vehicles. (Ord. 2000-5, pt. S2, June 28, 2000)
- (6) **Person.** The word “person” shall mean and include any individual, firm, co-partnership, association, or corporation. (Ord. 2000-5, pt. S2, June 28, 2000)
- (7) **Operator.** The word “operator” shall mean and include the registered owner of the vehicle, every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle. (Ord. 2000-5, pt. S2, June 28, 2000)

9.06.010 Parking Prohibited. No person shall park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with this ordinance or state statute or the directions of a police officer or traffic control device on any of the following streets:

- (1) All streets within thirty-five feet (35') of an intersecting street;
- (2) On Fifth Street West from the intersection with Main Street (Highway 162) to a point on the North side of the Street which point is five hundred ninety feet (590') West of the corporate boundary and to a point on the South side of the Street which point is three hundred ninety feet (390') West of the corporate boundary. Provided, however, that parking within the 590 and 390 feet areas is permitted only when using the West Fifth Street Park. And further, provided that temporary parking for no longer than ten (10) minutes shall be allowed while conducting business within the Town Office. Said temporary parking shall be permitted on the South side of the Street in a thirty foot (30') area starting thirty-five feet (35') East of the Virginia Street intersection and ending sixty-five feet (65') East of said intersection. (Ord. 94-3, S1, April 26, 1994) (Ord. 92-6, S1, 1992) (Ord. 90-16, S2, 1991) (Ord. 89-12, S1, 1989) (Ord. 0-86-13)
- (3) On the South side of West Twenty-Third Street between the intersections of said Street with Industrial Park Drive and Main Street (Highway 162). (Ord. 0-86-21)
- (4) On the South side of West Eighth Street for a distance of ninety-five feet (95') West from the intersection of Eighth Street with Main Street (Hwy 162). (Ord. 06-04, S2, May 9, 2006) (Ord. 88-13)
- (5) On the North side of West Fourth Street between the intersection with Virginia Street and the intersection with Main Street (Highway 162) between 8:00 a.m. and 6:00 p.m. Monday thru Saturday for more than two hours on any day. (Ord. 89-12 S2, 1989)

- (6) Repealed by Ordinance 2008-11, June 10, 2008)
- (7) On the East side of Carolina Street from the intersection with Fourth Street south for a distance of one hundred sixty-eight feet (168'). (Ord. 90-10, 1990)
- (8) Repealed by Ordinance 99-16, December 15, 1999.
- (9) On both sides of Vienna Drive. (Ord. 92-16, S1, 1992)
- (10) On both sides of Club Road. (Ord. 92-16, S1, 1992)
- (11) On the North side of Eleventh Street from the existing State Highway No Parking Zone at the intersection with Main Street (Highway 162) West for a distance of seventy-three feet (73'). (Ord. 92-16, S1, 1992)
- (12) On the East side of Virginia Street starting at a point twenty-five feet (25') north of the intersection with Eleventh Street and ending at a point fifty-eight feet (58') north of said intersection. Also on the East side of Virginia Street starting at a point one hundred feet (100') south of the intersection with Twelfth Street and ending at a point one hundred thirty-three feet (133') south of said intersection. (Ord. 92-16, S1, 1992)
- (13) On the South side of Twentieth Street from Northview Drive to Vienna Drive. On the North side of Twentieth Street, starting at the intersection with Northview Drive and ending at a point sixty feet (60') east of said intersection. On the North side of Twentieth Street, starting at a point one hundred sixty-eight feet (168') east of the intersection with Krampe Drive and ending at a point five hundred nineteen feet (519') east of the intersection with Krampe Drive. On the North side of Twentieth Street, starting at the intersection with Vienna Drive and ending at a point sixty feet (60') west of said intersection. (Ord. 95-13, S1, 1995)
- (14) On the South side of Twenty-first Street, starting at the intersection with Vienna Drive and ending at a point sixty feet (60') west of said intersection. On the South side of Twenty-first Street, starting at the intersection with Northview Drive and ending at a point sixty feet (60') east of said intersection. On the North side of Twenty-first Street from Northview Drive to Vienna Drive. (Ord. 95-13, S1, 1995)
- (15) On the East side of Krampe Drive from Twenty-first Street to Twenty-second Street. On the West side of Krampe Drive from Twentieth Street to Twenty-first Street. (Ord. 95-13, S1, 1995)
- (16) On the East side of Northview Drive from Eighteenth Street to Twenty-first Street. On the West side of Northview Drive, starting at the intersection

with Eighteenth Street and ending at a point fifty feet (50') north of said intersection. (Ord. 95-13, S1, 1995)

- (17) On both sides of Fourteenth Street / Convent Road except for that portion of the Street beginning 2,339 feet east of the intersection with Vienna Drive and running 110 feet easterly. (Ord. 08-11, S2, June 10, 2008) (Ord. 95-13, S1, 1995)
- (18) On the North side of East Thirteenth Street from Main Street to Maryland Street. (Ord. 96-23, S1, December 17, 1996)
- (19) On the East side of Sunward Drive from State Road 264 to Twenty-Fifth Street. (Ord. 96-23, S1, December 17, 1996)
- (20) On the West side of Sunward Drive for a distance of Two Hundred Thirty-Five Feet (235') from the intersection of Sunward Drive with State Road 264. (Ord. 96-23, S1, December 17, 1996)
- (21) On the North side of Twenty-Fifth Street from Sunward Drive to Pine Drive. (Ord. 96-23, S1, December 17, 1996)
- (22) On the West side of Pine Drive for a distance of Six Hundred Twenty Feet (620') from a point One Hundred Feet (100') South of the South intersection line of Twenty-Fourth Street and Pine Drive. (Ord. 96-23, S1, December 17, 1996)
- (23) On the East side of Pine Drive from Twenty-Fourth Street to Twenty-Fifth Street. (Ord. 96-23, S1, December 17, 1996)
- (24) On the South side of Twenty-Fourth Street from Pine Drive to Sunward Drive. (Ord. 96-23, S1, December 17, 1996)
- (25) On the East side of Willow Lane from Twenty-Fifth Street to Twenty-Fourth Street. (Ord. 96-23, S1, December 17, 1996)
- (26) On all sides of Willow Circle except along the West side of said street for a distance of One Hundred Fifty-Five Feet (155') from the intersection with Twenty-Fourth Street. (Ord. 96-23, S1, December 17, 1996)
- (27) On the South side of Twenty-Fifth Street for a distance of Five Hundred Forty-Five Feet (545') from the intersection with Pine Drive. (Ord. 96-23, S1, December 17, 1996)
- (28) On the East side of Alabama Street from Third Street South to the Town corporation limits. (Ord. 97-7, S1, May 28, 1997)

- (29) On the South side of Eighth Street, starting at a point fifty feet (50') west of the intersection with Michigan Street and ending at a point fifty feet (50') east of the intersection with Michigan Street. (Ord. 99-12, S1, Nov. 9, 1999)
- (30) On both sides of East First Street, starting at the intersection with Main Street (Hwy. 162) and ending at a point sixty-five feet (65') east of the intersection with Main Street (Hwy. 162). (Ord. 2000-3, S1, May 10, 2000)
- (31) On the North side of Fifth Street commencing five feet (5') west of a point parallel with the center of the sidewalk on the west side of the Fifth Street Park Shelter House and ending at a point one hundred twenty feet (120') west of said point. (Ord. 2001-15, S2, Sept. 12, 2001)
- (32) On the North side of Fifth Street commencing five feet (5') west of a point parallel with the center of the sidewalk on the east side of the Fifth Street Park Shelter House and ending at a point three hundred forty feet (340') east of said point. (Ord. 2001-15, S2, Sept. 12, 2001)
- (33) On the South side of Fifteenth Street (Sonderman Street), from the intersection of Fifteenth Street and Main Street to a point which is one hundred seventy-five feet (175') East of said intersection, on Mondays through Fridays from 2:30 p.m. to 3:30 p.m. (Ord. 2009-14, S1, Nov. 17, 2009)
- (34) On either side of Michigan Street between 13th Street and 14th Street on Mondays through Fridays from 7:00 a.m. to 3:30 p.m. while school is in session. (Ord. 2016-20, S1, Oct. 18, 2016)
- (35) On the West side of Kimberly Court (Ord. 2020-14, Oct. 20, 2020)
- (36) On the South side of Caesars Court (Ord. 2020-14, Oct. 20, 2020)
- (37) On the West side of Ridgeway Court (Ord. 2020-14, Oct. 20, 2020)
- (38) On the North side of Ridgeway Court (Ord. 2020-14, Oct. 20, 2020)
- (39) On the West side of Robin Drive (Ord. 2020-14, Oct. 20, 2020)
- (40) On the South side of Cardinal Drive (Ord. 2020-14, Oct. 20, 2020)
- (41) On the South side of Meadowlark Lane (Ord. 2020-14, Oct. 20, 2020)
- (42) The South side of Ninth Street from Main St. to Virginia St. from 9:00 a.m. to 6:00 p.m. Monday through Friday. (Ord. 2022-18, S1, June 21, 2022)

(43) On the South side of Third Street from Maryland to the end of Third Street (Ord. 2023-11, S1, July 18, 2023)

(44) On the North side of Third Street from 162 to Carolina (Ord. 2023-11, S1, July 18, 2023)

The Street Department is directed to affix appropriate signage or curb painting reflecting this prohibition. (Ord. 2023-11, S2, July 18, 2023) (Ord. 2022-18, S2, June 21, 2022)

9.06.020 Parking of a Livestock Vehicle. No person shall park a livestock vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with this ordinance or state statute or the directions of a police officer or traffic control device, on any street for longer than two (2) hours during any three (3) hour interval. (Ord. 0-86-13)

9.06.030 Parking Restricted on Park Property. Parking on any Town property adjacent to West Fifth Street is permitted only while using Fifth Street Park and as permitted from time to time by the Town or its Park Board. (Ord. 94-3, S2, April 26, 1994)

9.06.035 Disabled Person Parking. Parking on the following streets is limited to vehicles displaying a current, valid disabled person license plate or disabled person permit issued by the State of Indiana and only for the assistance of a person with a disability.

(1) On the North side of Fifth Street commencing five feet (5') west of a point parallel with the center of the sidewalk on the west side of the Fifth Street Park Shelter House and ending at a point thirty-five feet (35') east thereof. (Ord. 2001-15, S3, Sept. 12, 2001)

9.06.040 Off Street Parking Requirements and Designated Truck Routes. General Prohibition. It shall be unlawful for any commercial vehicle to be parked or operated in violation of this Ordinance (Chapter).

(1) **Restricted parking.** It shall be unlawful for any person to park or cause to be parked any semitractor, with or without a semitrailer, on any street within the corporate limits of the Town of Ferdinand without the prior written permission of the owner of the property adjacent to the street or on private property without the prior written permission of the owner of the private property. (Ord. 2000-5, S2(1), June 28, 2000)

(2) **Exemptions to restricted parking.**

A. The terms of this Section shall not apply to semitractors and semitractor/trailers in the process of being unloaded or loaded.

B. The terms of this Section shall not apply to semitractors and semitractor/trailers parked on streets adjacent to private property that is owned by the owner of the semitractor or semitractor/trailers. (Ord. 2000-5, S2(2), June 28, 2000)

(3) **Restricted operation.** It shall be unlawful to operate any commercial vehicle, as defined herein, upon any street except those streets that are hereby designated as truck routes within the corporate limits of the Town of Ferdinand.

A. The following streets shall be designated as truck routes within the Town of Ferdinand.

1. Hwy. #162 (North and South Bound Lanes)
2. East 1st St. from Hwy. #162 to Nursing Home Back Driveway
3. East 4th St. from Hwy. # 162 to Carolina St.
4. East 5th St. from Hwy. #162 to Corporate Limits
5. East 8th St. from Hwy. #162 to Alabama St.
6. East 10th St. from Hwy. #162 up to an including convent property
7. East 11th St. from Hwy. #162 to Michigan St.
8. East 13th St. from Hwy. #162 to Maryland St.
9. East 14th St. from Michigan St. to Corporate Limits
10. East 15th St. from Hwy. #162 to Michigan St.
11. East 18th St. from Hwy. #162 to New Park
12. East 23rd St. from Hwy. #162 to Corporate Limits
13. Pine Drive from East 23rd St. to Best Chairs Property
14. Carolina St. from East 4th St. to East 5th St.
15. Michigan St. from East 11th St. the Lueken Lumber Property
16. Michigan St. from East 14th St. to East 15th St.
17. Alabama St. from East 10th St. to East 14th St.
18. Vienna Drive from East 14th St. to East 23rd St.
19. Club Road from East 23rd St. to Corporate Limits
20. West 3rd St. from Hwy. #162 to Corporate Limits
21. West 4th St. from Hwy. #162 to Virginia St.
22. West 5th St. from Hwy. #162 to Old Park
23. West 8th St. from Hwy. #162 to D.M.I. Sawmill
24. West 9th St. from Hwy. #162 to Corporate Limits

25. West 10 St. from Hwy. #162 to Virginia St.
26. West 12th St. from Hwy. #162 up to and including Seufert's Property
27. West 16th St. from Hwy. #162 up to and including Best Chairs Property
28. West 17th St. from Hwy. #162 and Missouri St.
29. West 23rd St. from Hwy. #162 to Corporate Limits
30. Virginia St. from West 3rd St. to West 4th St.
31. Virginia St. from West 3rd St. to West 11th St.
32. Missouri St. from West 16th St. to West 17th St.
33. Mississippi St. from Hwy. #162 to Dead End
34. Industrial Park Road from the Corporate Limits to the Corporate Limits
35. Scenic Industrial Drive from West 3rd St. to Industrial Park Road

(Ord. 12-04, S2, June 12, 2012) (Ord. 2000-5, S(3)(A), June 28, 2000)

(B) The following streets are hereby declared streets from which all commercial vehicles, as defined in this Ordinance (Chapter), are excluded:

1. East 3rd St. from Hwy. #162 to Georgia St.
2. East 6th St. from Hwy. #162 to Florida St.
3. East 7th St. from Hwy. #162 to Delaware St.
4. East 12th St. from Hwy. #162 to Alabama St.
5. East 13th St. from Maryland St. to Michigan St.
6. East 19th St. from Vienna Drive to Dead End
7. East 20th St. from Vienna Drive to North View Drive
8. East 21st St. from Vienna Drive to North View Drive
9. East 22nd St. from Vienna Drive to Maple Drive
10. East 24th St. from Pine Drive to Sunward Drive
11. East 25th St. from Pine Drive to Sunward Drive
12. Maryland St. from East 1st St. to East 13th St.
13. Carolina St. from East 3rd St. to East 4th St.
14. Carolina St. from East 5th St. to East 8th St.
15. Carolina St. from East 10th St. to East 14th St.

16. Michigan St. from East 1st St. to East 8th St.
17. Michigan St. from East 10th St. to East 11th St.
18. Michigan St. from East 12th St. to East 14th St.
19. Illinois St. from the South Edge of Illinois St. to East 8th St.
20. Delaware St. from East 5th St. to East 8th St.
21. Alabama St. from the South Edge of Alabama St. to East 5th St.
22. Alabama St. from East 6th St. to East 8th St.
23. Georgia St. from East 3rd St. to East 6th St.
24. Florida St. from East 5th St. to East 6th St.
25. Pine Drive from Hwy. #162 to East 23rd St.
26. Pine Drive from North Edge of Best Chairs Property to East 25th St.
27. Willow Circle
28. Willow Lane from East 24th St. to East 25th St.
29. Sunward Drive from East 23rd St. to East 25th St.
30. North View Drive from East 18th St. to East 21st St.
31. Maple Drive from East 21st St. to East 22nd St.
32. Krampe Drive from East 20th St. to East 22nd St.
33. Birch Drive from East 23rd St. to Corporate Limits
34. West 6th St. from Hwy. #162 to Town Park
35. West 7th St. from Hwy. #162 to Dead End
36. West 11th St. from Hwy. #162 to Dead End
37. West 13th St. from Hwy. #162 to West 9th St.
38. Virginia St. from West 5th St. to West 8th St.
39. Virginia St. from West 11th St. to West 13th St.
40. Missouri St. from West 3rd St. to West 16th St.
41. Kentucky St. from West 13th St. to West 16th St.
42. Kentucky St. from South Dead End to West 23rd St.
43. Iowa St. from West 13th St. to North Dead End
44. Fern Drive from West 23rd St. to Dead End

- 45. Scenic Industrial Drive (sometimes referred to as Scenic Hills Drive) from Industrial Park Road to the portion of Scenic Industrial Drive sometimes referred to as Scenic Hills Court.
- 46. The portion of Scenic Industrial Drive (sometimes referred to as Scenic Hills Court) from Scenic Industrial Drive (Scenic Hills Drive) to the end of the cul de sac.

(Ord. 12-04, S1, June 12, 2012) (Ord. 2000-5, S(3)(B), June 28, 2000)

(4) Exemptions to Restricted Operation.

- A. It shall be lawful for school buses to operate upon any Street within the Town of Ferdinand for the purpose of picking up or delivering school children, and during such times, said school bus shall be exempt from classification as a commercial vehicle as defined herein. (Ord. 2000-5, S(4)(a), June 28, 2000)
- B. It shall be lawful for commercial vehicles to use streets other than those specifically designated as truck routes, while actually engaged in picking up or delivering merchandise or passengers to or from a specified site, not located on the truck route, while in the performance of the operator's normal course of business, provided that the most direct route available is taken. (Ord. 2000-5, S(4)(b), June 28, 2000)
- C. It shall be lawful for commercial vehicles to use streets, other than those specifically designated as truck routes, while in transit to or from the operator's home base or other place where the commercial vehicle is stored when it is not in operation, provided that the operator takes the most direct route available and is engaged in the performance of his or her normal course of business at the time of such operation. (Ord. 2000-5, S(4)(c), June 28, 2000)

(5) Exemptions for Municipal Owned and Emergency Vehicles.

- A. Vehicles which are owned or operated by the Town of Ferdinand or its various departments, or which are acting pursuant to authority of said Town which are being parked or operated on streets for legitimate governmental purposes shall be exempt from this Ordinance (Chapter). (Ord. 2000-5, S(5)(a), June 28, 2000)
- B. The restrictions on vehicular traffic and parking as set out in this Ordinance (Chapter) shall not apply to emergency vehicles of the Town of Ferdinand and those privately owned or owned by other municipalities or providers while responding to emergency calls or otherwise engaged in emergency activities. (Ord. 2000-5, S(5)(b), June 28, 2000)

- (6) **Posting of Limitations.** The Street Commissioner of the Town of Ferdinand is hereby directed to cause signs giving notice of the designated truck route to be posted and maintained at the entrance to the corporate limits or near the parts of the streets that are hereby affected. (Ord. 2000-5, S(6), June 28, 2000)
- (7) **Noise.** The making, causing or permitting to be made of any unnecessary noise by any person operating or parking a vehicle on any street within the Town of Ferdinand that disturbs or that may tend to disturb the peace and quiet of the citizens of the Town of Ferdinand is hereby declared to be a nuisance. (Ord. 2000-5, S(7), June 28, 2000)
- (8) Repealed by Ord. 2018-01.
- (9) **Other Vehicles Excluded When Approved.** The Town Council, Chief of Police, or the Street Commissioner of the Town of Ferdinand may, upon application being made, exclude such other commercial vehicles as they deem necessary from the operation and enforcement of this Ordinance (Chapter) issuing a permit to such effect. Such application shall designate the street to be used, a description of the commercial vehicle including the number of wheels and axles, the owner of the vehicle, the license number of both the semitractor and semitrailer and the starting date and expiration date of such permit. (Ord. 2000-5, S(9), June 28, 2000)
- (10) **Penalties for Violation.** Any person who does not comply with any of the provisions of this Chapter as it pertains to parking may be served with a written Notice of Violation in compliance with Section 9.10.030 of this Title. For violations other than for parking, the owner or operator of any vehicle shall receive notice of the violation, either personally or by the attaching of such Notice to said vehicle, that said vehicle is or has been parked or operated in such a manner, in such a place, or for such a time as to violate any of the provisions in this Ordinance. Such persons, owners or operators may within 14 days from the time set when such notice is served or attached to such vehicle admit liability to the violation and pay to the Clerk-Treasurer of the Town of Ferdinand as a penalty for such violation the sum of Fifty Dollars (\$50.00). For the purpose of enforcing this Ordinance, as it pertains to parking, a violation period shall consist of twenty-four (24) hours and each period during which there is a violation shall be a new and separate violation and offense. Each day any other violation of this Ordinance (Chapter) continues shall be a separate offense. In addition to other remedies available to it, including the right to sue the owner or operator for an unpaid ordinance violation as provided by Indiana law, the Town of Ferdinand shall further be entitled to petition any Court having competent jurisdiction to enjoin any person from further violations of this Ordinance (Chapter).

The Town shall also have the right to recover the cost of administering this Ordinance (Chapter), including but not limited filing fees and attorney fees. (Ord. 2000-5, S(10), June 28, 2000)

- (11) **Enforcement.** It shall be the duty of the police department to enforce the provisions of this Ordinance (Chapter). There shall be attached to each vehicle parked in violation of this Ordinance (Chapter), a notice to the owner or operator thereof informing him of such violation and directing him how to pay his fine for such violation. The owner or operator of any vehicle operated in violation of this Ordinance (Chapter), shall be issued a citation informing him or her of the violation. (Ord. 2000-5, S(11), June 28, 2000)
- (12) **Exercise of Police Power.** This entire Ordinance (Chapter) shall be deemed and construed to be the reasonable exercise of the police power of the Town of Ferdinand exercised for a rational basis, that being the preservation and protection of public welfare and safety on streets, within its jurisdiction. All of the provisions of this Ordinance (Chapter) shall be liberally construed with a view to the effectuation of such purpose. (Ord. 2000-5, S(12), June 28, 2000)
- (13) **Separability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance (Chapter) shall, for any reason, be held invalid or unconstitutional by any court for competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereunder. (Ord. 2000-5, S(13), June 28, 2000)
- (14) **Conflict with Other Penalty Provisions.** The provisions of this Section shall not in any manner affect the penalty provisions of any other ordinance or other parts of the ordinance relating to the parking of vehicles upon the streets within the Town, but will be cumulative of all other ordinances on the subject and for the purpose of providing a more convenient and economical method of handling such violations. (Ord. 2000-5, S(14), June 28, 2000)

Chapter 9.08

STOP STREETS

Sections:

- 9.08.010 Stop Defined**
- 9.08.020 Stop Streets Designated**
- 9.08.030 Violations**

9.08.010 Stop Defined. The driver of a vehicle being operated upon any "Stop Street" at the intersection with any other street as listed herein, shall cause such vehicle to come to a complete stop and shall proceed cautiously, yielding to vehicles and pedestrians not so obligated to stop which are within the intersection or approaching so close as to constitute an immediate hazard, unless traffic at such intersection is controlled by a police officer or a signal light, in which event the directions of the police officer or signal light shall be complied with. (Ord. 0-86-13)

9.08.020 Stop Streets Designated. The following streets are designated Stop Streets at the indicated intersection:

- (1) Twenty-Third (including Hwy. 264) at Main (Hwy. 162)
- (2) Pine Drive at Main (Hwy. 162)
- (3) Eighteenth at Main (Hwy. 162)
- (4) Seventeenth at Main (Hwy. 162)
- (5) Sixteenth at Main (Hwy. 162)
- (6) Fifteenth at Main (Hwy. 162)
- (7) Thirteenth at Main (Hwy. 162)
- (8) Twelfth at Main (Hwy. 162)
- (9) Eleventh at Main (Hwy. 162)
- (10) Tenth at Main (Hwy. 162)
- (11) Kundek at Main (Hwy. 162) (Ord. 88-9)
- (12) Eighth at Main (Hwy. 162)
- (13) Seventh at Main (Hwy. 162)
- (14) Sixth at Main (Hwy. 162)
- (15) Fifth at Main (Hwy. 162)
- (16) Fourth at Main (Hwy. 162)
- (17) Third (St. Henry Road) at Main (Hwy. 162)

- (18) First at Main (Hwy. 162)
- (19) Pine Drive at Twenty-Third (Hwy. 264)
- (20) Sunward Drive at Twenty-Third (Hwy. 264)
- (21) Birch at Twenty-Third (Hwy. 264)
- (22) Vienna Drive at Twenty-Third (Hwy. 264)
- (23) Vienna Drive at Fourteenth
- (24) Northview Drive at Eighteenth
- (25) Eighteenth at Northview Drive
- (26) Seventeenth at Virginia
- (27) Sixteenth at Virginia
- (28) Thirteenth at Virginia
- (29) Twelfth at Virginia
- (30) Eleventh at Virginia
- (31) Tenth at Virginia
- (32) Ninth at Virginia
- (33) Eighth at Virginia
- (34) Seventh at Virginia
- (35) Sixth at Virginia
- (36) Fifth at Virginia
- (37) Fourth at Virginia
- (38) Maple Drive at Twenty-Third (Hwy. 264)
- (39) Thirteenth at Michigan
- (40) Eleventh at Michigan
- (41) Seventh at Michigan
- (42) Fourth at Michigan
- (43) Second at Michigan
- (44) Thirteenth at Missouri
- (45) Twelfth at Missouri
- (46) Eleventh at Missouri
- (47) Tenth at Missouri
- (48) Seventh at Missouri
- (49) Sixth at Missouri

- (50) Fifth at Missouri
- (51) Maryland at Thirteenth
- (52) Kentucky at Thirteenth
- (53) Maryland at Eleventh
- (54) Michigan at Tenth
- (55) Carolina at Tenth
- (56) Maryland at Tenth
- (57) Alabama at Eighth
- (58) Delaware at Eighth
- (59) Illinois at Eighth
- (60) Michigan at Eighth
- (61) Carolina at Eighth
- (62) Maryland at Eighth
- (63) Missouri at Eighth
- (64) Georgia at Sixth
- (65) Alabama at Sixth
- (66) Illinois at Sixth
- (67) Illinois at Fifth
- (68) Illinois at Third
- (69) Alabama at Fifth
- (70) Delaware at Fifth
- (71) Florida at Fifth
- (72) Georgia at Fifth
- (73) Michigan at Fifth
- (74) Virginia at Fifth
- (75) Seventh at Illinois
- (76) Maryland at Third
- (77) Virginia at Third
- (78) Carolina at Third
- (79) Michigan at First
- (80) Maryland at First
- (81) Twenty-first at Vienna Drive

- (82) Twentieth at Vienna Drive
- (83) Krampe Drive at Twenty-first
- (84) Maple Drive at Twenty-first
- (85) Krampe Drive at Twentieth
- (86) Twentieth at North View Drive
- (87) Thirteenth at Ninth (Old Huntingburg Road)
- (88) Kentucky at Sixteenth
- (89) Michigan at Fourteenth
- (90) Michigan at Twelfth
- (91) Michigan at Third
- (92) Alabama at Third
- (93) Carolina at Fourth
- (94) Missouri at Thirteenth
- (95) Carolina at Fifth
- (96) Carolina at Thirteenth
- (97) Seventh at Delaware
- (98) Sixth at Delaware
- (99) Twelfth at Carolina
- (100) Eleventh at Carolina
- (101) Seventh at Carolina
- (102) Sixth at Carolina
- (103) Illinois at Second
- (104) Maryland at Sixth
- (105) Maryland at Fifth
- (106) Maryland at Fourth
- (107) Twelfth at Maryland
- (108) Kundek at Maryland (Ord. 88-9)
- (109) Seventh at Maryland
- (110) Missouri at Seventeenth
- (111) Missouri at Ninth
- (112) Sixteenth at Missouri
- (113) Michigan at Sixth

- (114) Twenty-first at Northview Drive
- (115) Robin Drive at Twenty-Second (Ord. 99-2)
- (116) County Road 285 East at Fifth Street (Ord. 02-3)
- (117) Community Center Drive at Eighteenth Street (Ord. 05-03)
- (118) Eighteenth Street at Community Center Drive and the Park parking lot entrance (Ord. 05-03)
- (119) Park parking lot entrance at Eighteenth Street (Ord. 05-03)
- (120) Twenty-Third Street at Industrial Park Road (Ord. 05-05)
- (121) Ninth Street at Industrial Park Road (Ord. 05-05)
- (122) Third Street at Industrial Park Road (Ord. 05-05)
- (123) Virginia at Eighth (Ord. 06-04)
- (124) East 16th Street at Main Street (Hwy 162) (Ord. 2010-13)
- (125) The Ferdinand Public Library parking lot exit at the E. 16th Street cul-de-sac (Ord. 2010-13)
- (126) The YMCA parking lot exit at the E. 16th Street cul-de-sac (Ord. 2010-13)
- (127) Scenic Hills Drive at Industrial Park Road
- (128) Lee Ct. at Third
- (129) Caesars Ct. at Alabama
- (130) Sunrise Drive at Fifth
- (131) Michigan at Fifteenth
- (132) Tenth at Alabama
- (133) Twelfth at Alabama
- (134) Nineteenth at Vienna Drive
- (135) Twenty-fourth at Sunward
- (136) Twenty-fourth at Pine Drive
- (137) Twenty-fifth at Pine Drive
- (138) Willow Ln. at Twenty-fourth
- (139) Willow Ln. at Twenty-fifth
- (140) Industrial Park at Hwy. 162
- (141) Fern Dr. at Twenty-third
- (142) Kentucky at Twenty-third
- (143) Scenic Industrial Drive at Third
- (144) Kimberly Ct. at Twenty-second

- (145) Meadowlark at Robin
- (146) Cardinal at Robin
- (147) Twenty-second at Vienna Dr.
- (148) Krampe Dr. at Twenty-second
- (149) Twenty-second at Maple
- (150) Club Rd. at Twenty Third
- (151) Ridgeway Ct. at Industrial Park Rd.
- (152) N. Leaf Dr. at Industrial Park Rd.
- (153) Exit of Old Town Lake at Fourteenth/Convent Rd.
- (154) Virginia at Ninth – both directions
- (155) Ninth at Virginia – both directions
- (156) Mississippi at 162 (main) at exit of Town Hall.

(Ord. 2023-08, S1, May 16, 2023) (Ord. 2022-19, S1, June 21, 2022) (Ord. 2020-15, Oct. 20, 2020) (Ord. 12-04, S4, June 12, 2012) (Ord. 2010-13, S1, Dec. 14, 2010) (Ord. 06-04, May 9, 2006) (Ord. 05-05, S1, S2, Sept. 14, 2005) (Ord. 05-03, S1, Aug. 10, 2005) (Ord. 02-3, S1, Feb. 13, 2002) (Ord. 99-2, S1, 1999) (Ord. 98-6, S1, 1998) (Ord. 95-13, S2, 1995) (Ord. 91-5 S1, 1991) (Ord. 90-16 S1, 1990) (Ord. 0-86-13)

The Street Department is directed to erect such signage as may be necessary to give effect to this chapter, as amended. (Ord. 2023-08, S2, May 16, 2023)

9.08.030 Violations. Whenever a police officer shall find that a violation of this Chapter has been committed, such officer shall immediately prepare in duplicate, a written notice to appear in court containing the name and address of the driver committing the violation, specifying the violation charged, and indicating the time and place where the driver shall appear in court. The Indiana statutory traffic information and summons form as contained in I.C. 9-30-3-6, shall constitute notice in all violations of this Chapter. The penalty for a violation of this Chapter shall be the penalty as proscribed for the same type offense as contained in I.C. 9-21-8. (Ord. 05-03, S2, Aug. 10, 2005)

Chapter 9.10

ADHERENCE TO LAWS AND PENALTIES FOR VIOLATIONS

Sections:

- 9.10.010 Speed Limit in Town Parks
- 9.10.011 Speed Limit on Certain Town Streets - 25 MPH
- 9.10.012 Speed Limit on Certain Town Streets - 20 MPH
- 9.10.013 Speed Limit on Certain Town Streets - 35 MPH
- 9.10.014 Speed Limit on Certain Town Streets - 45 MPH
- 9.10.016 Passing Prohibited
- 9.10.020 "Uniform Traffic Ticket"
- 9.10.030 Non-Moving Traffic Offense
- 9.10.040 Penalties
- 9.10.050 Town Traffic Clerk

9.10.010 Speed Limit in Town Parks. No person shall drive a vehicle within any Town park in excess of fifteen (15) miles per hour. (Ord. 99-12, S2, Nov. 9, 1999)

9.10.011 Speed Limit on Certain Town Streets - 25 MPH. No person shall drive a vehicle in excess of Twenty-Five (25) miles per hour on any of the following streets:

- (1) Eighteenth Street, except that part within Northside Park
- (2) Twentieth Street
- (3) Twenty-first Street
- (4) Twenty-second Street
- (5) Northview Drive
- (6) Maple Street
- (7) Krampe Drive (Ord. 95-13, S3, 1995)
- (8) Sunward Drive
- (9) Twenty-Fifth Street
- (10) Pine Drive North of State Road 264
- (11) Twenty-Fourth Street
- (12) Willow Lane
- (13) Willow Circle (Ord. 96-23, S2, December 17, 1996)

9.10.012 Speed Limit on Certain Town Streets - 20 MPH. No person shall drive a vehicle in excess of twenty (20) miles per hour on any of the following streets:

- (1) Eight Street from Carolina Street to Illinois Street.
- (2) Fourteenth Street from Michigan Street to a point one thousand five hundred feet (1,500') east of the intersection with Vienna Drive and Alabama Street.
- (3) Carolina Street from Thirteenth Street to Michigan Street.
- (4) Fifteenth Street from Main Street to Michigan Street.
- (5) Vienna Drive from the intersection with Fourteenth Street and Alabama Street to a point nine hundred fifty feet (950') north of said intersection.
- (6) Michigan Street north of its intersection with Thirteenth Street to Fourteenth Street. (Ord. 2001-15, S1, Sept. 12, 2001) (Ord. 99-12, S3, Nov. 9, 1999)

9.10.013 Speed Limit on Certain Town Streets - 35 MPH. No person shall drive a vehicle in excess of thirty-five (35) miles per hour on any of the following streets:

- (1) Industrial Park Road between Third Street and the corporate boundary of the Town of Ferdinand, which is approximately four hundred sixty-three feet (463') North of the centerline of Twenty-Third Street. (Ord. 06-02, S1, Feb. 14, 2006)

9.10.014 Speed Limit on Certain Town Streets - 45 MPH. No person shall drive a vehicle in excess of forty-five (45) miles per hour on any of the following streets:

- (1) Industrial Park Road between Third Street and Main Street (Hwy 162).
- (2) Industrial Park Road between Hwy 162 and the corporate boundary of the Town of Ferdinand, which is approximately four hundred sixty-three feet (463') North of the centerline of Twenty-Third Street. (Ord. 06-02, S2, Feb. 14, 2006)

9.10.016 Passing Prohibited. Overtaking and passing of vehicles proceeding in the same direction is prohibited on all streets within the Town of Ferdinand, except where permitted on State roads regulated by the State of Indiana. (Ord. 2004-14, S2, Nov. 10, 2004)

9.10.020 "Uniform Traffic Ticket. Whenever a police officer shall find that a traffic offense has been committed, such officer shall immediately prepare in duplicate written notice to appear in court containing the name and address of the driver committing the traffic offense, the ordinance violation charged, and the time and place where such driver shall appear in court. The Indiana "Uniform Traffic Ticket" form shall be used and shall constitute notice in all traffic offenses. The penalty for traffic offenses as set forth in this

Code shall be the penalty as proscribed for the same type offense contained in I.C. 9-21. (Ord. 2001-15, S5, Sept. 12, 2001) (Ord. 86-13 S1, 1986)

9.10.030 Non-Moving Traffic Offense. Whenever a police officer shall find that a non-moving traffic offense has been committed, such officer shall immediately prepare in duplicate written notice to pay the penalty proscribed by this chapter containing the date and time of violation, the vehicle license number, make and the date and place where such penalty must be paid. Such notice shall be in substantial conformity with the notice attached in Chapter 1.12 and incorporated herein. The police officer shall file the duplicate copy of the notice with the Town Traffic Clerk within seventy-two hours of issuance. The owner or driver of a vehicle responsible for the violation shall pay the penalty within ten days of issuance of the notice to the Town Traffic Clerk's Office. Upon the payment of any penalty, the Town Traffic Clerk or authorized deputy shall issue a receipt to the payor, which receipt shall be serially numbered. (Ord. 88-13 S2, 1988; Ord. 1986-16 S2, 1986; Ord. 1986-13 SJ, 1986)

9.10.040 Penalties. The penalty for non-moving traffic offense shall be the sum of Twenty-Five Dollars (\$25.00). Failure of the owner or driver of a vehicle to pay the penalty as required by Section 9.10.030. shall subject the owner or driver to suit for an ordinance violation as provided by Indiana law. In the event suit is filed, the owner or driver found to have committed a non-moving traffic offense shall also pay all of Town's legal fees and costs in filing suit and prosecuting the matter. (Ord. 92-6, S2, 1992) (Ord. 88-13 S2, 1988; Ord. 1986-16, 1986; Ord. 1986-13 SK, 1986)

9.10.050 Town Traffic Clerk. The Town Board of Trustees shall make appointment of the Town Traffic Clerk who shall serve at the pleasure of the Town Board. The Town Traffic Clerk shall account for all penalties collected and shall pay the same into the Town's General Fund at least once each month. (Ord. 0-86-13)

Chapter 9.20

OFF-ROAD VEHICLES

Sections:

- 9.20.005 Purpose
- 9.20.010 Definitions
- 9.20.020 Recreational Off-Highway Vehicle Operation Permitted
- 9.20.030 Drivers License Required
- 9.20.040 Safety Restraints, Passengers
- 9.20.050 Financial Responsibility Requirements
- 9.20.060 Minimum Equipment
- 9.20.070 Permit Required
- 9.20.080 Application for Permit
- 9.20.090 Permit Fees
- 9.20.100 Observance of Traffic Regulations
- 9.20.110 Exceptions
- 9.20.120 Penalty
- 9.20.130 Severability

9.20.005 Purpose. I.C. 9-21-1-3(a)(14) and I.C. 9-21-1-3.3(a) authorize municipalities to permit and regulate the operation of off road vehicles on private roads, highways, and alleyways under their jurisdiction. (Ord. 2023-01, Preamble, Feb. 21, 2023)

9.20.010 Definitions. Except as otherwise provided, the following definitions shall apply throughout this chapter:

- (1) Street – the entire width between the boundaries of every publicly maintained way which is open and maintained for public vehicular travel. The term includes street and alley.
- (2) Recreational Off-Highway Vehicle – An off-highway vehicle as defined by 14-8-2-233.5, meeting the following:
 - A. is eighty (80) inches in width when measured from outside of tire rim to outside of tire rim, or less;
 - B. has a dry weight of two thousand five hundred (2,500) lbs. or less;
 - C. is designed for travel on at least four (4) nonhighway or off-highway tires;
 - D. is designed for recreational use by one (1) or more individuals;

In addition to the foregoing statutory definition, for the purposes of this chapter, a recreation off-highway vehicle, shall:

- A. not have saddle seat(s) designed to be straddled by the operator or passenger(s);
- B. not have been privately assembled, as described by IC 9-17-4-1; and

- C. have a powertrain rating of 99 horsepower or less. (Ord. 2023-01, S1, Feb. 21, 2023)

9.20.020 Recreational Off-Highway Vehicle Operation Permitted. Recreational off-highway vehicles, as defined by this Chapter, may be operated on all streets and alleys under the jurisdiction of the Town of Ferdinand, with the exception of any highway designated as part of the state highway system (State Road 162 (Main Street) and State Road 264 (East 23rd Street) other than to cross at a right angle at intersections where such state highway intersects with a local street under the jurisdiction of the Town of Ferdinand. Such vehicles shall not be operated on the streets and alleys of the Town during the hours from 10:00 PM to 6:00 AM. (Ord. 2023-01, S2, Feb. 21, 2023)

9.20.030 Drivers License Required. A recreational off-highway vehicle operated on the streets and alleys of the Town of Ferdinand shall at all times be operated by an individual who possesses a valid state issued license to operate a motor vehicle. (Ord. 2023-01, S3, Feb. 21, 2023)

9.20.040 Safety Restraints, Passengers. The operator may not permit more passengers than for which the recreational off-highway vehicle is equipped with passenger seating and safety belts. The operator and all passengers must be restrained with a safety belt, properly fastened about the occupant's body at all times when the vehicle is in motion. Every operator and passenger under the age of eighteen (18) years must wear a U.S. Department of Transportation approved helmet. (Ord. 2023-01, S4, Feb. 21, 2023)

9.20.050 Financial Responsibility Requirements. A person shall not operate a recreational off-highway vehicle on the streets or alleys of the Town of Ferdinand, unless the minimum amounts of financial responsibility as required by I.C. 9-25-4 *et seq.* is in effect with respect to the vehicle. Proof of such minimum financial responsibility shall be in accordance with I.C. 9-25-4-7. (Ord. 2023-01, S5, Feb. 21, 2023)

9.20.060 Minimum Equipment. All recreational off-highway vehicles operated on the streets or alleys of the Town of Ferdinand shall be equipped with the following minimum equipment:

- (1) Steering wheel for steering control
- (2) Headlamps
- (3) Front and rear turn signal lamps, tail lamps and stop lamps
- (4) Reflex reflectors
- (5) Exterior or interior rearview mirrors
- (6) Brakes
- (7) A windshield
- (8) A safety belt installed at each designated seating position
- (9) Manufacturer supplied muffler exhaust system with operational spark arrestor

(Ord. 2023-01, S6, Feb. 21, 2023)

9.20.070 Permit Required. Prior to operating or permitting the operation of a recreational off-highway vehicle on the streets or alleys of the Town of Ferdinand, the owner thereof shall register the same and obtain a permit from the Police Department. The permit shall be an annual permit which shall expire on the annual anniversary of registration. Every recreational off-highway vehicle operated on any street or alley within the jurisdiction of the Town of Ferdinand pursuant to an annual permit shall be re-registered and re-permitted on or before the expiration of any existing permit, and such renewal shall be on an annual basis. (Ord. 2023-01, S7, Feb. 21, 2023)

9.20.080 Application for Permit. Every person required to register and permit a recreational off-highway vehicle to be operated on the streets and alleys within the jurisdiction of the Town of Ferdinand shall present said vehicle to the Police Department for inspection for compliance with the minimum equipment, and proof of financial responsibility requirements of this chapter. The registration and permit issued shall be displayed on the vehicle. (Ord. 2023-01, S8, Feb. 21, 2023)

9.20.090 Permit Fees. Every applicant for registration and permitting of a recreational off-highway vehicle shall pay a permit fee in the sum of Thirty Dollars (\$30.00) for each annual permit. All permit fees collected pursuant to this chapter shall be deposited into the General Fund of the Town of Ferdinand. (Ord. 2023-01, S9, Feb. 21, 2023)

9.20.100 Observance of Traffic Regulations. All traffic regulations applicable to the operation of motor vehicles on streets, roads and highways of the State of Indiana and in the Town of Ferdinand, and all applicable provisions of I.C. 14-16-1 *et seq.* regarding the operation of off-road vehicles, shall apply to the operation of recreational off-highway vehicles on the streets and alleys of the Town of Ferdinand. (Ord. 2023-01, S10, Feb. 21, 2023)

9.20.110 Exceptions. This chapter shall not be construed to prohibit:

- (1) The operation of an off-road vehicle by any police officer, firefighter, or other emergency worker in the discharge of their official duties.
- (2) The operation of an off-road vehicle by employees of the municipal street, park or utility departments in the discharge of their official duties, when authorized by their supervisor. (Ord. 2023-01, S11, Feb. 21, 2023)

9.20.120 Penalty. Any person who violates any provision of this Chapter (other than a moving traffic violation) shall be fined in the sum of Twenty-Five Dollars (\$25.00) for the first offense; Fifty Dollars (\$50.00) for a second offense occurring within a calendar year; and One Hundred Dollars (\$100.00) for each subsequent offense occurring during a calendar year. In addition, the Chief of Police shall be authorized to suspend the permit of any person who violates any provision of this Chapter. All fines collected pursuant to this Chapter shall be deposited into the General Fund of the Town of Ferdinand. (Ord. 2023-01, S12, Feb. 21, 2023)

9.20.130 Severability. In the event any provision of this Chapter is determined to be invalid or unenforceable by a court of competent jurisdiction, such provision shall be stricken without affecting the validity or enforceability of the remaining provisions hereof. Ord. 2023-01, S13, Feb. 21, 2023)

Chapter 9.24

GOLF CARTS

Sections:

- 9.24.010 Definitions
- 9.24.020 Golf Cart Operation Permitted
- 9.24.030 Driver's License Required
- 9.24.040 Financial Responsibility Requirements
- 9.24.050 Safety Emblems
- 9.24.060 Minimum Equipment
- 9.24.070 Occupancy
- 9.24.080 Permit Required
- 9.24.090 Application for Permit
- 9.24.100 Permit Fees
- 9.24.110 Observance of Traffic Regulations
- 9.24.120 Penalty
- 9.24.130 Attorney's Fees

9.24.010 Definitions. Except as otherwise provided, the following definitions shall apply throughout this ordinance:

Street - the entire width between the boundaries of every publicly maintained way which is open and maintained for public vehicular travel. The term includes street and alley.

Golf Cart - A four-wheeled motor vehicle originally and specifically designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course. (Ord. 2010-10, S1, Oct. 12, 2010)

9.24.020 Golf Cart Operation Permitted. Golf carts may be operated on all streets and alleys under the jurisdiction of the Town of Ferdinand, with the exception of any highway designated as part of the state highway system (State Road 162, and State Road 264) or county roads (Industrial Park Road, St. Henry Road, or Club Road) other than to cross such state highway or county roadway at its intersection with a local street under the jurisdiction of the Town of Ferdinand.

A golf cart may only cross State Road 162 at the following intersections with a local street:

- Third Street
- Fourth Street
- Fifth Street
- Sixth Street
- Seventh Street
- Eighth Street
- Ninth Street
- Tenth Street
- Eleventh Street
- Twelfth Street

Thirteenth Street
Sixteenth Street (effective 01/01/2011)
Pine Drive

A golf cart may only cross State Road 264 at the following intersection with a local street: Pine Drive.

No golf carts shall be operated upon any sidewalk or walking trail or bicycle trail within the Town of Ferdinand. (Ord. 2010-10, S2, Oct. 12, 2010)

9.24.030 Driver's License Required. A golf cart operated on the streets and alleys of the Town of Ferdinand shall at all times be operated by an individual who possesses a valid state issued license to operate a motor vehicle. (Ord. 2010-10, S3, Oct. 12, 2010)

9.24.040 Financial Responsibility Requirements. A person shall not operate a golf cart on the streets or alleys of the Town of Ferdinand, unless the minimum amounts of financial responsibility as required by I.C. 9-25-4 *et seq.* is in effect with respect to the golf cart. Proof of such minimum financial responsibility shall be in accordance with I.C. 9-25-4-7. (Ord. 2010-10, S4, Oct. 12, 2010)

9.24.050 Safety Emblems. All golf carts operated on the streets or alleys of the Town of Ferdinand shall display a triangular slow moving vehicle emblem in accordance with I.C. 9-21-9-2 and an amber flashing lamp in accordance with I.C. 9-21-9-4, mounted at a height which is visible from at least 500 feet.

⁺The appropriate safety registration stickers issued by the Town of Ferdinand designating the golf cart registration will be placed on the front and rear of the golf cart. These stickers must be viewable at all times. Safety registration stickers will be issued by the Police Department when the golf cart has passed the inspection. (Ord. 2010-10, S5, Oct. 12, 2010)

9.24.060 Minimum Equipment. All golf carts operated on the streets or alleys of the Town of Ferdinand shall be equipped with the following minimum equipment:

Headlamps
Tail lamps
Rear stop lamps
Exterior or interior rear view mirrors
Brakes
Amber flashing lamp
Triangular slow moving vehicle emblem
Safety Registration Sticker (2)

Note: Golf carts may operate with only the original factory installed engine. Modifications to engines are not permitted. (Ord. 2010-10, S6, Oct. 12, 2010)

9.24.070 Occupancy. Occupancy shall not exceed that to be accommodated by factory seating as a golf cart. The number of occupants of a golf cart shall be limited to a maximum of six persons or the maximum number of persons permitted by available manufactured seating, whichever is less. The driver and all passengers in the golf cart must be seated while the golf cart

is in operation. No part of the body of the operator or occupants shall extend outside the perimeter of the golf cart while the golf cart is in operation; provided however, the operator shall use proper traffic hand signals when required. If the driver (operator) of a golf cart is under 18 years of age, no more than two additional person(s) under the age of 18 are permitted to occupy said golf cart. No person under the age of two (2) years shall be allowed to ride on a golf cart and all persons under the age of ten (10) years shall ride in the front seat. (Ord. 2010-10, S7, Oct. 12, 2010)

9.24.080 Permit Required. Prior to operating or permitting the operation of a golf cart on the streets or alleys of the Town of Ferdinand, the owner thereof shall register the same and obtain a permit from the Ferdinand Police Department. The permit shall be an annual permit which shall expire on the annual anniversary of the issuance thereof. Every golf cart operated on any street or alley within the jurisdiction of the Town of Ferdinand pursuant to an annual permit shall be re-registered and re-permitted on or before the expiration of any existing permit, and such renewal shall be on an annual basis. (Ord. 2010-10, S8, Oct. 12, 2010)

9.24.090 Application for Permit. Every person required to register and permit a golf cart to be operated on the streets and alleys within the jurisdiction of the Town of Ferdinand shall present said golf cart to the Police Department for inspection for compliance with the safety emblem, minimum equipment, and proof of financial responsibility requirements of this ordinance. The registration and permit issued shall be displayed on the golf cart. (Ord. 2010-10, S9, Oct. 12, 2010)

9.24.100 Permit Fees. Every applicant for registration and permitting of a golf cart shall pay a permit fee in the sum of Thirty Dollars (\$30.00) for each annual permit and for each annual renewal. All permit fees collected pursuant to this ordinance shall be deposited into the General Fund of the Town of Ferdinand. (Ord. 2010-10, S10, Oct. 12, 2010)

9.24.110 Observance of Traffic Regulations. All traffic regulations applicable to the operation of motor vehicles on streets, roads and highways of the State of Indiana and in the Town of Ferdinand shall apply to the operation of a golf cart on the streets and alleys of the Town of Ferdinand. (Ord. 2010-10, S11, Oct. 12, 2010)

9.24.120 Penalty. Any person who violates any provision of this Ordinance (other than a moving traffic violation) shall be fined in the sum of Twenty-Five Dollars (\$25.00) for the first offense; Fifty Dollars (\$50.00) for a second offense occurring within a calendar year; and One Hundred Dollars (\$100.00) for each subsequent offense occurring during a calendar year. All fines collected pursuant to this Ordinance shall be deposited into the General Fund of the Town of Ferdinand. (Ord. 2010-10, S12, Oct. 12, 2010)

9.24.130 Attorney's Fees. In the event that the Town of Ferdinand must take action to enforce this Ordinance, the Town shall recover its reasonable attorney's fees and court costs in addition to any judgment entered in its favor or any fine or monetary penalty paid to it. (Ord. 2010-10, S13, Oct. 12, 2010)