

TITLE 15
VEHICLES AND TRAFFIC

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Chapters:

- 15.08 Speed limits**
- 15.16 No parking**
- 15.19 Weight Limits on Streets**
- 15.30 Off-Road Vehicles on Certain Town Roads**
- 15.40 Golf Carts on Town Streets**

Chapter 15.08

SPEED LIMITS

Sections:

15.08.010	Definitions
15.08.020	State highway speed limit
15.08.030	All other streets speed limit
15.08.040	Unlawful to speed
15.08.050	Penalty
15.08.200	Cut-outs open

15.08.010 Definitions.

- (1) Under this Ordinance and all Traffic Control Ordinances for the Town of Gentryville the term “vehicle” shall mean, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. It shall not include the following:
 - A. A vehicle that runs only on rails or tracks.
 - B. A firetruck and apparatus owned by a municipal division of the state or contracted for use thereof and used for fire protection.
 - C. A vehicle operated by a member of a fire department, emergency medical technician, or police officer engaged in a response to an emergency situation operating with the appropriate warning lighting and operated in an otherwise safe fashion.
 - D. An ambulance owned or contracted for use by an agency providing emergency medical services.
 - E. A police patrol vehicle. (Ord. 2013-03, S1, Apr. 3, 2013)

15.08.020 State highway speed limit. The speed limit for highways under the control of the state highway system located within the Town limits shall be as lawfully posted or as otherwise defined by Indiana Code §§9-21-5-0.1 et seq. (Ord. 2013-03, S2, Apr. 3, 2013)

15.08.030 All other streets speed limit. Pursuant to Indiana Code §9-21--5-6, unless otherwise lawfully posted, the speed limit for all other streets or roads within Town of Gentryville are set at twenty-five miles per hour (25 mph). (Ord. 2013-03, S3, Apr. 3, 2013)

15.08.040 Unlawful to speed. It shall be unlawful for a vehicle travel at speeds in excess of the limits described in the above sections and subsections. (Ord. 2013-03, S4, Apr. 3, 2013)

15.08.050 Penalty. The penalty for any person or persons who violates the traffic regulations listed in this ordinance shall be \$50.00. This fine shall be paid to the Town Clerk-Treasurer or his/her approved designee within thirty (30) days of the issuance of the violation. Failure of the owner or driver of a vehicle to pay the penalty within the thirty day time frame 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 violation of a traffic regulation shall also pay all of Town's legal fees and costs in filing suit and prosecuting the matter. (Ord. 2013-03, S5, Apr. 3, 2013)

15.08.200 Cut-outs open. That is shall be unlawful for any person or persons to move, drive or run any vehicle of any kind which is propelled by motor power, such as automobiles, over, through and upon the streets, alleys or upon any public place within the corporate limits off the said town, with the cut-outs of said vehicle open. (Ord. 36, S2, Oct. 22, 1923)

Chapter 15.16

NO PARKING

Sections:

15.16.010 Parking prohibited

15.16.010 Parking prohibited.

- (1) There shall be no parking on either side of 3rd (Third) Street. (Ord. 1978-1, July 3, 1978)
- (2) Under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Transportation has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said department, be it know that the following traffic regulation is hereby adopted:

Parking shall be restricted on US 231 in the Incorporated Town of Gentryville, Spencer County, as follows:

“NO PARKING ANYTIME” along the West side of US 231, from the south edgeline of Boone Street (CR 1575 N) (RM 27+88) to a point 173 south of Boone Street (CR 1575 N) (RM 27+85), a distance of approximately 173 feet. (Notice of Official Action, INDOT, April 25, 1995)

Chapter 15.19

WEIGHT LIMITS ON STREETS

Sections:

15.19.010	Statement of Intent
15.19.020	Weight Limits
15.19.030	Penalty

15.19.010 Statement of Intent. The maximum weight of vehicles using the streets owned and maintained by the Town of Gentryville, Indiana, is hereby found to be a concern for the citizens of the Town due to damages to such streets caused by vehicles with excessive weight using those streets. (Ord. 2016-02, S1, Apr. 6, 2016)

15.19.020 Weight Limits. It shall be unlawful for any person to operate or move, or for the owner to causer or knowingly permit to be operated or moved, upon any public street or roadway within the jurisdiction of the Town of Gentryville, Indiana, any vehicle or combination of vehicles of a size or gross weight exceeding eight (8) tons. (Ord. 2016-02, S2, Apr. 6, 2016)

15.19.030 Penalty. Any owner or operator who violates this chapter shall be fined and required to pay to the Town Clerk-Treasurer for the first offense the sum of One Hundred Dollars (\$100.00); for a second offense the sum of Three Hundred Dollars (\$300.00); and for a third or subsequent offense a sum of One Thousand Dollars (\$1,000.00). (Ord. 2016-02, S3, Apr. 6, 2016)

Chapter 15.30

OFF-ROAD VEHICLES ON CERTAIN TOWN ROADS

Sections:

15.30.010	Definitions
15.30.020	Use and Operation
15.30.030	Registration Requirements
15.30.040	Headlights, Taillights and Brakes
15.30.050	Statutory Restrictions on Use
15.30.060	Duties in Event of Accident
15.30.070	Registration and Insurance
15.30.080	Restrictions on Operation
15.30.090	Other Laws and Regulations
15.30.100	Disturbance of Roadway
15.30.110	Emergencies
15.30.120	Penalty
15.30.130	Enforcement

15.30.010 Definitions.

- (1) A. **“Off-road vehicle”**, is defined by IC 14-8-2-185 for purposes of IC 14-16-1 and this Chapter means a motor driven vehicle capable of cross-country travel:
 1. without benefit of a road; and
 2. on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.
- B. The term includes the following:
 1. A multiwheel drive or low pressure tire vehicle.
 2. An amphibious machine.
 3. A ground effect air cushion vehicle.
 4. An all-terrain vehicle (as defined in IC 14-8-2-5.7).
 5. A recreational vehicle (as defined in IC 14-8-2-233.5).
 6. Other means of transportation deriving motive power from a source other than muscle and wind.

- C. The term “off road vehicle” does not:
1. A farm vehicle being used for farming, including but not limited to, a farm wagon (as defined in IC 9-13-2-60(a)(2).
 2. A vehicle used for military or law enforcement purposes.
 3. A construction, mining, or other industrial related vehicle used in performance of the vehicle’s common function.
 4. A snowmobile (as defined in IC 14-8-2-261).
 5. A registered aircraft.
 6. Any other vehicle properly registered by the bureau of motor vehicles.
 7. Any watercraft that is registered under Indiana Statutes.
 8. A golf cart vehicle. (Ord. 2014-12, S1, Dec. 3, 2014)
- (2) **“ATV Roads”** shall mean all town roads and highways within city limits, except Restricted Roads. **“Restricted Roads”** shall mean Indiana State Route 62 and 162. (Ord. 2014-12, S2, Dec. 3, 2014)
- (3) An **“Operator”** of an off-road vehicle must be at least 18 years of age. (Ord. 2014-12, S3, Dec. 3, 2014)

15.30.020 Use and Operation.

- (1) “Operators” of “off-road vehicles” may use “ATV Road”, as those terms are defined herein, subject to the terms and conditions of this ordinance.
- (2) “Off road vehicles” may not be operated on “Restricted Roads,” except:
 - A. Farmers may operate off-road vehicles, for farm production purposes, on ATV Roads or Restricted Roads.
 - B. Operators may cross a Restricted Road at right angles for the purpose of getting from one (1) area to another when the operation can be done in safety. The operator shall bring the vehicle to a complete stop before proceeding across a Restricted Road and shall yield the right-of-way to all traffic.
- (3) Any off-road vehicles operated on public roadways herein shall carry no more passengers than actual seating provided by the vehicle manufacturer.

Under no circumstance shall an off-road vehicle carry more than four passengers other than the driver. (Ord. 2014-12, S4, Dec. 3, 2014)

15.30.030 Registration Requirements. Off-road vehicles must be registered under IC 14-16-1-8, as amended, unless an exception applies pursuant to IC 14-16-1-8(c). (Ord. 2014-12, S5, Dec. 3, 2014)

15.30.040 Headlights, Taillights and Brakes. The off-road vehicle must meet those standards of headlights, taillights, and brakes required under IC 14-16-1-21. (Ord. 2014-12, S6, Dec. 3, 2014)

15.30.050 Statutory Restrictions on Use. Nothing in this Chapter modifies, alters or changes the restrictions on operation established under IC 14-16-1-23. (Ord. 2014-12, S7, Dec. 3, 2014)

15.30.060 Duties in Event of Accident. Nothing in this Chapter modifies, alters or changes the duties under IC 14-16-1-24 placed on the Operator of and off-road vehicle in the event of an accident. (Ord. 2014-12, S8, Dec. 3, 2014)

15.30.070 Registration and Insurance. Any operator of an off-road vehicle shall carry on his or her person any registration required under IC 14-16-1 for the off-road vehicle being operated. (Ord. 2014-12, S9, Dec. 3, 2014)

15.30.080 Restrictions on Operation. In furtherance of the restriction established under IC 14-16-1-23(a)(7) prohibiting the operation of off-road vehicles within 100 feet of a dwelling between midnight and 6:00 a.m., an off-road vehicle may not be operated on any town road or highways outside the inside town limits, between 12:00 midnight and 6:00 a.m. (Ord. 2014-12, S10, Dec. 3, 2014)

15.30.090 Other Laws and Regulations. Nothing in this Chapter modifies, alters or changes the requirements of the operation of vehicles on public roadways in Indiana, and all Operators of off-road vehicles must obey and follow all rules and regulations applicable to the operation of vehicles on roadways in Indiana. (Ord. 2014-12, S11, Dec. 3, 2014)

15.30.100 Disturbance of Roadway. No person shall operate an off-road vehicle on Spencer County Highways in such a manner which causes damage to the roadway or highway or disturbs the surface of the roadway or highway. Any violator of this Section, in addition to such penalties set forth in Section 15.30.130 below, shall be responsible for all costs of repair of such damage or disturbance. (Ord. 2014-12, S12, Dec. 3, 2014)

15.30.110 Emergencies. Any county or state law enforcement officer may prohibit operation of an off-road vehicle on a county highway or roadway during emergencies. (Ord. 2014-12, S13, Dec. 3, 2014)

15.30.120 Penalty.

- (1) Any person who violates any provision of this order shall be deemed guilty of a violation and, upon conviction, shall be fined pursuant to the following schedule:
 - A. First offense \$ 25
 - B. Second offense \$ 50
 - C. Third and subsequent offense \$100
- (2) Each day that a violation occurs constitutes a separate offense. (Ord. 2014-12, S14, Dec. 3, 2014)

15.30.130 Enforcement. All law enforcement officers in this Town shall have the power and it shall be their duty to enforce the provisions of this Chapter unless otherwise prevented by State statutes regarding the enforcement of State laws. (Ord. 2014-12, S15, Dec. 3, 2014)

Chapter 15.40

GOLF CARTS ON TOWN STREETS

Sections:

15.40.010	Definitions
15.40.020	Authorization and Requirements of Operation
15.40.030	Annual Permit Fees
15.40.040	Penalty

15.40.010 Definitions.

- (1) A **“Golf Cart”** is hereby defined as 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. 2014-13, S1, Dec. 3, 2014)

15.40.020 Authorization and Requirements of Operation. Golf Carts are hereby authorized to be operated on all streets and alleys under the jurisdiction of the Town of Gentryville, with the exception of any highway designated as part of the state highway system, which includes State Road 62 and 162, all within the limits of the Town of Gentryville, other than to cross such state highways as they intersect with local streets under the jurisdiction of the Town of Gentryville. Each owner/operator of a Golf Cart pursuant to the terms of this ordinance must comply with the following requirements:

- (1) Golf Cart equipped with headlamps, tail lamps, exterior or interior rear view mirrors, brakes, and slow moving vehicle emblem or placard;
- (2) Subject to inspection and approval by an officer of the Gentryville Police Department;
- (3) Subject to all traffic regulations applicable to the operation of motor vehicles;
- (4) Permit required from the Gentryville Police Department and payment of annual permit fee of \$20.00, with the permits expiring and subject to renewal each December 31; and
- (5) Decals affixed to the left rear of the Golf Cart in a manner to be visible from the rear of the vehicle and front driver’s side quarter panel.
- (6) Any Golf Cart operated on any public road herein shall carry on more passengers than actual seating provided by the vehicle manufacturer. Under no circumstance shall a golf-cart carry more than four passengers other than the driver. (Ord. 2014-13, S2, Dec. 3, 2014)

15.40.030 Annual Permit Fees. Each annual permit fee shall be deposited in the General Fund of the Town of Gentryville. (Ord. 2014-13, S3, Dec. 3, 2014)

15.40.040 Penalty. In addition to penalties provided by law for violation of traffic laws and regulations, any person who violates this Chapter shall be fined in the sum of \$25.00 for the first offense, \$50.00 for the second offense and \$100.00 for each subsequent offense, which fines should be deposited in the General Fund of the Town of Gentryville, Indiana. (Ord. 2014-13, S4, Dec. 3, 2014)