

## CHAPTER 78: PARKING METERS

### Section

- 78.1 Definitions
- 78.2 Parking meter zones
- 78.3 Designation of parking spaces
- 78.4 Purchase and maintenance of meters
- 78.5 Installation of meters
- 78.6 Parking within meter spaces
- 78.7 Vehicle to park with front nearest to meter
- 78.8 Deposit of coins
- 78.9 Parking overtime
- 78.10 Defacing and tampering with meter
- 78.11 Slugs in meters
- 78.12 Enforcement of chapter; issuance of citations
- 78.13 Collection and receipt of proceeds
- 78.14 Disbursement of proceeds

### § 78.1 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“OPERATOR.” Any person who operates a vehicle as the owner thereof, or as the agent, employee, or permittee of the owner, or is in actual physical control of the vehicle.

“PARK” or “PARKING.” The standing of a vehicle, whether occupied or not, upon the street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience of traffic regulations, signs or signals, or an involuntary stopping of the vehicle by reason of causes beyond control of the operator of the vehicle.

“PARKING METER.” Any mechanical device or meter not inconsistent with this section. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of the legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

“PARKING METER SPACE.” Any space within the parking meter zone adjacent to a parking meter and which is designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meter.

“PARKING METER ZONES.” Any restricted street upon which parking meters are installed and in operation.

“PARKING PERIOD.” Maximum time limit for parking established for that zone. (Ord. 1983-11, passed 6-21-83)

§ 78.2 PARKING METER ZONES.

(A) The streets described in Schedule R below, are designated as parking meter zones.

(B) The Board of Public Works and Safety is authorized to establish zones to be known as parking meter zones in the streets and avenues of the city. The zones shall be designated by the Board of Public Works and Safety by resolution. (Ord. 1983-11, passed 6-21-83)

SCHEDULE R: PARKING METERS.

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>	<u>ORD. NO.</u>
2nd St.	First alley south of Jefferson St.	Jackson St.	East	
2nd St.	First alley south of Jefferson St.	3rd parking space North of 1st alley North of Monroe St.	West	
Court St.	2nd St.	3rd St.	North	
Court St.	2nd St.	1st alley west of 2nd St.	South	
Jefferson St.	3rd parking space west of 2nd St.	1st alley east of Second St.	South	
Madison St.	3rd St.	2nd parking space East of 1st alley East of 2nd St.	North	
Madison St. (Ord. 1983-11, passed 6-21-83)	3rd St.	1st St.	South	

§ 78.3 DESIGNATION OF PARKING SPACES.

In parking meter zones the Board of Public Works and Safety shall cause parking meters to be installed and shall cause parking meter spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones and the hours during the day and night when the parking meter or meters must be used and when the time limitations shall be effective, in compliance with the provisions of this chapter, and shall indicate the time limitations by designating the same on the parking meter or meters or by appropriate signs posted in proximity to the meter or on the meters in the zones. (Ord. 1983-11, passed 6-21-83)

§ 78.4 PURCHASE AND MAINTENANCE OF METERS.

The Board of Public Works and Safety is directed to provide for the purchase, acquisition, installation, operation, maintenance, supervision, regulation, and use of the parking meters provided for in this chapter, and to maintain the meters in good workable condition; and the Board of Public Works and Safety is vested with power and authority to enter into contract of purchase pursuant to law. (Ord. 1983-11, passed 6-21-83)

§ 78.5 INSTALLATION OF METERS.

Parking meters installed in the parking meter zones established as provided in §78.2 hereof shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking, and on expiration of such period, shall indicate illegal or over-parking. (Ord. 1983-11, passed 6-21-83)

§ 78.6 PARKING WITHIN METER SPACES.

The Board of Public Works and Safety shall have lines or markings painted or placed upon the curb or upon the street adjacent to each parking meter for the purpose of designating the parking space for which the meter is to be used, and each vehicle shall park within the lines or markings so established. It shall be unlawful and a violation of this chapter to park any vehicle across any such line or marking or to park the vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 78.7 VEHICLE TO PARK WITH FRONT NEAREST TO METER.

When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost of the front part of such vehicle nearest to such meter. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 78.8 DEPOSIT OF COINS.

(A) When a vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this chapter, the operator of the vehicle shall, upon entering the parking space, immediately deposit or cause to be deposited a coin of such value as the Board of Public Works and Safety may decide upon. Failure to deposit such coin or token shall constitute a breach of this section and shall subject such person to the penalty prescribed in §85.3. Upon the deposit of such coins or tokens, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which the parking space is located. If the vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking, and in that event, such vehicle shall be considered as parked

overtime and beyond the period of legal parking time and shall be a violation of this chapter.

(B) Commercial trucks may park in loading zones designated by the Board of Public Works and Safety to load or to unload merchandise without depositing coins or tokens, for a period not to exceed 20 minutes. Should any truck or delivery car be parked longer than 20 minutes, the violator shall be given a violation ticket, and such act classed as a violation, and the regular penalty imposed. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 78.9 PARKING OVERTIME.

(A) No person shall cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as hereof described.

(B) Each hour or portion thereof during which the owner or operator permits a vehicle to remain in a parking space with a parking meter when the parking meter shows the word “expired,” during the hours fixed by the Board of Public Works and Safety for the operation of parking meters, shall constitute a separate violation of this chapter. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 78.10 DEFACING AND TAMPERING WITH METER.

No person shall deface, injure, tamper with, open, or willfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this chapter. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 78.11 SLUGS IN METERS.

No person shall deposit or cause to be deposited in any parking meter any slugs, device, or metallic substance, or any other substitute, for the coins or specified tokens in lieu of the coins. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 78.12 ENFORCEMENT OF CHAPTER; ISSUANCE OF CITATIONS.

(A) The Board of Public Works and Safety is authorized to employ personnel to enforce the provisions of this chapter.

(B) It shall be the duty of the enforcement personnel or police officers of the city to report:

(1) The number or location of each parking meter indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this chapter.

(2) The state license number of such vehicle.

(3) The time during which such vehicle is parking in violation of any of the provisions of this chapter.

(4) Any other facts, any knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

(C) All such enforcement personnel or police officers shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this chapter. (Ord. 1983-11, passed 6-21-83)

§ 78.13 COLLECTION AND RECEIPT OF PROCEEDS.

(A) All moneys collected from parking meters shall be deposited with the Clerk-Treasurer of the city to the credit of the city, but in a special fund entitled Parking Meter Fund.

(B) All payments made in lieu of prosecution which are prescribed in §85.3 shall be deposited with the Clerk-Treasurer of the city in the Parking Meter Fund. (Ord. 1983-11, passed 6-21-83)

§ 78.14 DISBURSEMENT OF PROCEEDS.

Disbursements from the Parking Meter Fund shall be made only under the order of the Board of Public Works and Safety, and disbursements shall be made for no other purpose than:

(A) Payment of the purchase price, rental fees, and cost of installation of parking meters.

(B) Payment of the cost of maintenance, operation, repair, and all other incidental costs and expenses in the operation of parking meters, including the cost of clerk and bookkeeping.

(C) Payment of the costs of traffic-control devices used in the city, and also repair and maintenance of any of the public streets, including curbs and sidewalks, and highways where the parking meters are in use, and all streets connected therewith in the city, and the cost of employing personnel to enforce the provision of this chapter.

(D) For the purpose of acquiring by lease or purchase suitable land for off-street parking facilities; for the payment of the principal and interest on bonds issued to acquire parking facilities and meters; for the improvement and maintenance of land for parking purposes; and for the purchase, installation, and maintenance of parking meters on the land. Provided, that the city may either operate or lease the off-street parking facilities.

(E) Payment of the cost of purchase, maintenance, operation, repair, and all other incidental costs of providing approved school crossing protective facilities. (Ord. 1983-11, passed 6-21-83)

CHAPTER 79: SCHOOL PROPERTY RULES

Section

- 79.1 Incorporation of plats
- 79.2 Plat available to public
- 79.3 Particular traffic-control regulations applicable to controlled school property
- 79.4 Through traffic prohibited
- 79.5 Integration of chapter into title

§ 79.1 INCORPORATION OF PLATS.

Certain public school property near Belmont High School, Northwest Elementary School, and Southeast Elementary School, in the city, consisting of the boundary areas set out on certain plat maps designated “Plat Map to be Used in Conjunction with an Ordinance for Regulation of Traffic upon Certain School Property near Belmont High School in the City of Decatur, Indiana,” “Plat Map to be Used in Conjunction with an Ordinance for Regulation of Traffic upon Certain School Property near Northwest Elementary School in the City,” and “Plat Map to be Used in Conjunction with an Ordinance for Regulation of Traffic upon Certain School Property near Southeast Elementary School,” respectively, by this reference incorporated herein and hereinafter in this chapter designated plats, respectively, are designated controlled school property. These plats, together with all school motor vehicle routes, school traffic lanes, traffic signs, one-vehicle parking spaces, one-angle vehicle parking spaces, sidewalks, turn indicators, direction of travel indicators, medians or curbs, no parking areas, and crosswalks, all as shown by the plats and the legends thereon, are a part of this chapter, each respectively, as if they were fully described in the text hereof. (Ord. 1983-11, passed 6-21-83)

§ 79.2 PLAT AVAILABLE TO PUBLIC.

Two copies of each plat shall be kept on file in the office of the City Clerk-Treasurer and shall be subject to public inspection during the regular office hours of that office. (Ord. 1983-11, passed 6-21-83)

§ 79.3 PARTICULAR TRAFFIC-CONTROL REGULATIONS APPLICABLE TO CONTROLLED SCHOOL PROPERTY.

(A) Controlled school property near Belmont High School.

(1) At a point where North Adams Drive meets Stadium Drive West, all traffic on North Adams Drive shall turn left or right on Stadium Drive.

(2) Vehicle traffic at locations designated on the plat shall be controlled by yield signs indicating that drivers of vehicles traveling in a traffic lane in the direction the arrow is pointing, who want to cross or enter another traffic lane, shall yield the right-of-way to vehicles approaching such location from another direction, or another traffic lane.

(3) Upon school corporation's prior written undertaking to pay the reasonable expense to the city of same, the City Traffic Director is directed to place and replace adequate signs, traffic-directional indicators, or arrows upon controlled school property indicating the course to be traveled by vehicles and restrictions upon the direction of lawful traffic movement all as shown on the plat.

(4) Vehicles upon controlled school property shall yield to the pedestrians properly utilizing pedestrian crosswalks, as shown on plat, across school motor vehicle routes.

(5) No vehicle shall park or stand on designated no parking areas or traffic lanes for more than five continuous minutes.

(6) Vehicles upon controlled school property shall not travel in excess of 20 miles per hour.

(7) No vehicle coming upon controlled school property shall enter upon a parking space, except for the purpose of parking, standing, or stopping therein, or in a parking space immediately adjacent thereto.

(8) School buses may park on school days and for school-related activities only on North Adams Drive between the intersection of Reppert Drive West and North Adams Drive and the intersection of North Adams Drive and Stadium Drive West.

(9) No vehicle may park on designated parking areas on controlled school property in the same location for more than two hours after the completion of a school-sponsored activity.

(10) No person shall drive or operate a motor vehicle on controlled school property in violation of the state motor vehicle laws.

(B) Controlled school property near Northwest Elementary School.

(1) At a point where Dayton Street meets with an unnamed north-south street, traffic shall be permitted to travel in either direction.

(2) At a point where the unnamed north-south street intersects with the west point on an unnamed circular drive, traffic shall be permitted to travel in a one-way direction east only.

(3) Vehicle traffic at locations designated on the plat shall be controlled by yield signs indicating that the driver, of vehicles traveling in a traffic lane in the direction the arrow is pointing who want to cross or enter another traffic lane, shall yield the right-of-way to vehicles approaching such location from another direction or another traffic lane.

(4) Upon school corporation's prior written undertaking to pay the reasonable expense of same to the city, the City Traffic Director is directed to place and replace adequate signs, traffic-directional indicators, or arrows upon controlled school property indicating the course to be traveled by vehicles and restrictions upon the direction of lawful traffic movement, all as shown on the plat.

(5) Vehicles upon controlled school property shall yield to pedestrians properly utilizing pedestrian crosswalks as shown on plat, across school motor vehicle routes.

(6) No vehicle shall park or stand on designated no parking areas or traffic lanes for more than five continuous minutes.

(7) Vehicles upon controlled school property shall not travel in excess of 20 miles per hour.

(8) No vehicle coming upon controlled school property shall enter upon a parking space, except for the purpose of parking, standing, or stopping therein, or in a parking space immediately adjacent thereto.

(9) School buses may park in an easterly direction on the unnamed circular drive on school days and for school-related activities only.

(10) No vehicle may park on designated parking areas on controlled school property in the same location for more than two hours after the completion of a school-sponsored activity.

(11) No person shall drive or operate a motor vehicle on controlled school property in violation of the state motor vehicle laws.

(C) Controlled school property near Southeast Elementary School.

(1) At a point where Everhart Street meets with the south point of an unnamed circular drive, traffic shall be permitted to travel in a one-way direction north only.

(2) Vehicle traffic at locations designated on the plat shall be controlled by yield signs indicating that the driver of vehicles traveling in a traffic lane in the direction the arrow is pointing who want to cross or enter another traffic lane shall yield the right-of-way to vehicles approaching such location from another direction or another traffic lane.

(3) Upon school corporation's prior written undertaking to pay the reasonable expense of same to the city, the City Traffic Director is directed to place and replace adequate signs, traffic-directional indicators, or arrows upon controlled school property indicating the course to be traveled by vehicles and restrictions upon the direction of lawful traffic movement, all as shown on the plat.

(4) Vehicles upon controlled school property shall yield to pedestrians properly utilizing pedestrian crosswalks, as shown on the plat, across school motor vehicle routes.

(5) No vehicle shall park or stand on designated no parking areas or traffic lanes for more than five continuous minutes.

(6) Vehicles upon controlled school property shall not travel in excess of 20 miles per hours.

(7) No vehicle coming upon controlled school property shall enter upon a parking space, except for the purpose of parking, standing, or stopping therein, or in the parking space immediately adjacent thereto.

(8) School buses may park in a northerly direction on the unnamed circular drive that intersects with Everhart Street, on school days and for school-related activities only.

(9) No vehicle may park on designated parking areas on controlled school property in the same location for more than two hours after the completion of a school-sponsored activity.

(10) No person shall drive or operate a motor vehicle on controlled school property in violation of the state motor vehicle laws. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

#### § 79.4 THROUGH TRAFFIC PROHIBITED.

No person shall drive or operate a motor vehicle on, over, along, across, or through controlled school property except for a purpose related to the education of one or more persons enrolled as a student or students of the North Adams Community Schools or for a purpose related to any lawful activity being conducted thereon, which activity is expressly or impliedly permitted by the authority of the Board of Trustees of the North Adams Community Schools. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

#### § 79.5 INTEGRATION OF CHAPTER INTO TITLE.

This chapter of this title is enacted to meet a particular need, and, where possible, each provision hereof shall be integrated into, applied, and interpreted in conjunction with the other provisions of this title. Where such application is not possible, or is in irreconcilable conflict, the provisions of this chapter shall prevail and control as to interpretation and application of this chapter only. (Ord. 1983-11, passed 6-21-83)

CHAPTER 80: BICYCLES

Section

- 80.1 Definitions
- 80.2 Effect of regulations
- 80.3 Education campaign for bicycle riders
- 80.4 Traffic laws apply to persons riding bicycles
- 80.5 Obedience to traffic-control devices
- 80.6 Riding on roadways and bicycle paths
- 80.7 Number of passengers, seats
- 80.8 Speed
- 80.9 Emerging from alley or driveway
- 80.10 Clinging to vehicle
- 80.11 Carrying articles
- 80.12 Parking
- 80.13 Riding on sidewalks
- 80.14 Lamps and other equipment
  
- 80.99 Penalty

§ 80.1 DEFINITIONS.

For the purpose of this chapter the following words and phrases shall have the following meanings ascribed to them respectively.

(A) “BICYCLE.” Any foot-propelled vehicle irrespective of the number of wheels in contact with the ground.

(B) “OPERATE.” Any form or tense thereof shall mean and refer to the use of a bicycle, by a person mounted thereon, causing it to function. (Ord. 1983-11, passed 6-21-83)

§ 80.2 EFFECT OF REGULATIONS.

(A) The parent of any child, the guardian of any ward, or any person standing in loco parentis to any child, shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

(B) These regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein. ('67 Code, §43.02) (Ord. 1983-11, passed 6-21-83)

§ 80.3 EDUCATION CAMPAIGN FOR BICYCLE RIDERS.

The chief of police, or an officer assigned such responsibility, shall develop and supervise activities designed to promote better bicycle riding habits, knowledge and observance of traffic regulations by bicycle riders, and other activities which increase the safe operation of bicycles on the city streets. ('67 Code, §43.08) (Ord. 1983-11, passed 6-21-83)

§ 80.4 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES.

Every person riding a bicycle upon a roadway shall be granted all of the rights, and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles, or other traffic ordinances of this city, except as to those provisions of laws and ordinances which by their nature have no application. ('67 Code, §43.12) (Ord. 1983-11, passed 6-21-83)

§ 80.5 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

(A) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(B) Whenever authorized signs are erected indicating that no right, left, or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. ('67 Code, §43.13) Ord. 1983-11, passed 6-21-83)

§ 80.6 RIDING ON ROADWAYS AND BICYCLE PATHS.

(A) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(C) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. ('67 Code, §43.14) (Ord. 1983-11, passed 6-21-83) Penalty, see §80.99

§ 80.7 NUMBER OF PASSENGERS, SEATS.

(A) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which

it is designed and equipped. ('67 Code, §43.15) Ord. 1983-11, passed 6-21-83)

§ 80.8 SPEED.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing. ('67 Code, §43.16) (Ord. 1983-11, passed 6-21-83)

§ 80.9 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley, driveway, or building, upon approaching a sidewalk or a sidewalk area extending across any alley way, shall yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway. ('67 Code, §43.17) (Ord. 1983-11, passed 6-21-83)

§ 80.10 CLINGING TO VEHICLE.

No person riding upon any bicycle shall attach the same or himself to any vehicle upon a roadway. ('67 Code, §43.18) (Ord. 1983-11, passed 6-21-83)

§ 80.11 CARRYING ARTICLES.

No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars. ('67 Code, §43.19) (Ord. 1983-11, passed 6-21-83) Penalty, see §80.99

§ 80.12 PARKING.

No person shall park a bicycle upon a street other than upon the roadway, against the curb, upon the sidewalk in a rack to support the bicycle, against the building, or at the curb, in such manner as to afford the least obstruction to pedestrian traffic; provided, that no person shall park a bicycle on the sidewalks along Second Street from Jackson to Jefferson Street nor on the sidewalks along Monroe Street from First to Third Street in the city, unless such bicycle shall be parked within an area or areas designated and set aside for the parking of bicycles by the Board of Public Works and Safety. ('67 Code, §43.20) (Ord. 1983-11, passed 6-21-83)

§ 80.13 RIDING ON SIDEWALKS.

(A) No person shall ride, lead, or push a bicycle upon the sidewalks along Second Street from Jackson to Jefferson Street nor upon the sidewalks along Monroe Street from First Street to Third Street in the city.

(B) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. ('67 Code, §43.21) (Ord. 1983-11, passed 6-21-83)

§ 80.14 LAMPS AND OTHER EQUIPMENT.

(A) Every bicycle, when in use at nighttime, shall be equipped with and have in operation a lamp on the front which shall emit a white light visible from a distance of at least 300 feet to the front, and at all times with a red reflector on the front and rear thereof, of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle.

(B) A bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(C) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, and clean pavement. ('67 Code, §43.22) (Ord. 1983-11, passed 6-21-83)

§ 80.99 PENALTY.

Every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than \$100, by the removal and detention of the license plate from such person's bicycle for a period not to exceed 30 days, or by the impounding of such person's bicycle for a period not to exceed 30 days, or by any combination thereof. ('67 Code, §43.99) (Ord. 1983-11, passed 6-21-83)

CHAPTER 81: MISCELLANEOUS RULES

Section

- 81.1 Parades, permit required
- 81.2 Traction engines on streets
- 81.3 Muffler; noise
- 81.4 Pedestrians
- 81.5 Permitting loads to drop or spill on street
- 81.6 Unlawful to use street as playground
- 81.7 Board of works authority
- 81.8 Operating motor vehicle on sidewalk prohibited

Cross-reference:

Parking and assembly regulations on walkways, driveways, and parking areas, see Chapter 96

§ 81.1 PARADES, PERMIT REQUIRED.

It shall be unlawful to have any parade on any street or streets in the congested district without first obtaining a permit therefor from the Board of Public Works and Safety, which permit shall designate the route, time, and purpose of the parade. Any person participating in any such unauthorized parade shall be deemed to have violated this section (Ord. 1983-11, passed 6-21-83) Penalty, see Ch.85

§ 81.2 TRACTION ENGINES ON STREETS.

No person, firm, or corporation shall propel or move, or cause to be propelled or moved over and along any street within the limits of the city, any tractor or other engine unless the tires of the wheels thereon are smooth, except by permission of the Board of Public Works and Safety. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch.85

§ 81.3 MUFFLER; NOISE.

No person at any time shall operate any vehicle of any kind in the city with the exhaust open or in any way to make noise unusual to the normal operation of such vehicle. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 81.4 PEDESTRIANS.

All pedestrians crossing streets in the congested district shall cross at right angles and shall not cross diagonally at such intersection. Pedestrians shall pass to the right in passing others from an opposite direction and to the left in overtaking others. In cases of emergency pedestrians shall use only the sidewalks and crosswalks and not cross the street except at regular crossings and at right angles. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 81.5 PERMITTING LOADS TO DROP OR SPILL ON STREET.

No person, firm, or corporation shall permit any stone, dirt, or other material to drop from any vehicle driven upon the streets. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 81.6 UNLAWFUL TO USE STREET AS PLAYGROUND.

It shall be unlawful for children to use the roadway of any street as a playground. (Ord. 1983-11, passed 6-21-83) Penalty, see Ch. 85

§ 81.7 BOARD OF WORKS AUTHORITY.

The Board of Public Works and Safety is authorized to promulgate such rules and regulations, to establish such procedures and to do any and all other acts as is in its discretion necessary to carry out the provisions, intent and purpose of this traffic code. (Ord. 1983-11, passed 6-21-83)

§ 81.8 OPERATING A MOTOR VEHICLE ON SIDEWALK PROHIBITED.

It shall be a violation for anyone to operate a motor vehicle upon the public sidewalks of the city. Whoever violates this section will be subject to the penalty provisions set forth in §77.99.

---

Cross-reference:

Parking on sidewalk prohibited, see §77.15

CHAPTER 82: NO-PASSING ZONES

Section

82.1 No-passing zones

§ 82.1 NO-PASSING ZONES.

The following named streets are designated no-passing zones for vehicular traffic:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ORD. NO.</u>
Jackson St. Penalty, see Ch. 85	Intersection with First St.	Intersection with U.S. Hwy. 224	1988-7

CHAPTER 83: SKATEBOARDS AND IN-LINE SKATES

§ 83.1 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates and requires a different meaning.

(A) “SKATEBOARD.” A foot board mounted upon four or five wheels and usually propelled by the user who sometimes stands, sits, kneels or lies upon the device while it is in motion.

(B) “WHEELING OR SLIDING DEVICES.” Include but not limited to: skateboards, roller skates, in-line skates or bicycles, or any other device containing wheels which can be ridden on or otherwise utilized by an individual or individuals in order to move about other than walking.

(C) “RECKLESS OR HAZARDOUS OPERATION.” For the purposes of this section, “reckless or hazardous operation” shall be defined as operation of a skateboard, wheeling or sliding device in a manner such that the wheels of the wheeling device leave the ground or that the skateboard or sliding device is separated from the ground at the time, (i.e., airborne) and is further defined to mean the use of disability ramps, steps, walls, retention walls, doors, handrails, planters, curb or gutter edges, barriers and barricades, benches, picnic tables, sculptures, stages, platforms, playground equipment or other device or structure which is not intended for pedestrian or vehicular traffic, jumping or stepping on or off such devices or structures using wheeled equipment, or in a manner that is likely to cause damage to property or to cause personal injury or failing to yield the right of way to or otherwise interfere with pedestrian or vehicular traffic.

§ 83.2 OPERATING SKATEBOARD, WHEELING OR SLIDING DEVICE PROHIBITED.

(A) The reckless or hazardous operation of a skateboard, wheeling or sliding device as defined in this ordinance is hereby prohibited in the city limits of the City of Decatur.

(B) Notwithstanding the definition of skateboard, wheeling or sliding device, nothing in this section shall prohibit the use of a wheelchair, a stroller, or similar devices, for the purposes of helping an elderly, disabled individual, infant, or other individual needing assistance in moving from place to place.

CHAPTER 84: MOTOR VEHICLE EXHIBITION AND NOISE

§ 84.1 EXHIBITION, OPERATION OF A MOTOR VEHICLE PROHIBITED.

No person shall operate a motor vehicle within the corporate limits of the City of Decatur, Indiana in such a manner that creates or causes unnecessary engine noise, tire squeal, skidding or sliding upon acceleration or stopping or that causes the front wheel or wheels to rise above the ground; that simulates a temporary race; or that causes the vehicle to unnecessarily turn abruptly or sway.

§ 84.2 MOTOR VEHICULAR NOISE.

1. No person shall play, use, operate or permit to be played, used or operated any audio device for the producing or re-producing of sound if it is located in or on any motor vehicle on a public right of way, highway, or public space if the sound generated is audible at a distance of 30 feet from the device producing the sound.
2. No person shall operate a motor vehicle with or without the attachment of various appurtenances thereto so as to create loud or unnecessary grating, grinding, rattling or other noise or noises. This shall include the use of any vehicle, said use of which causes excessive noise as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving the engine, or tire squeal.
3. No person shall use or operate, except in emergency situations, on any street within the City of Decatur, any vehicle engine compression brake, commonly known as "Jake Brake". (Ord. 2005-6, passed 06-07-2005.)

§ 84.3 EXEMPTIONS.

The following shall be exempted from the provisions of this chapter:

- (A) A sound emitted from sirens of authorized emergency vehicles.
- (B) Lawn mowers, garden tractors and similar home power tools properly muffled.
- (C) Burglar alarms or other warning devices when properly installed on motor vehicles.
- (D) Celebrations on Halloween and legal holidays.
- (E) Permitted parades or festivals.
- (F) Attendant noise connected with the actual performance of athletic or sporting events.
- (G) The emission of sound for the purposes of alerting persons to the existence of an

emergency or for the performance of emergency work.

- (H) If a noise is the result of a defect of a defective or modified exhaust system if the cause is repaired or otherwise remedied within 7 calendar days.

CHAPTER 85: PENALTIES

Section

- 85.1 Fines
- 85.2 Removal of vehicle
- 85.3 Penalty - parking meters
- 85.4 Penalty - miscellaneous violations

§ 85.1 FINES.

Every person convicted of a violation of any of the provisions of this title for which another penalty is not provided herein shall for the conviction thereof be punished by a fine of not more than \$100. (Ord. 1983-11, passed 6-21-83)

§ 85.2 REMOVAL OF VEHICLE.

In addition to the foregoing penalty, any police officer, upon discovering any vehicle parked or stopped, in violation of this traffic code, may remove the vehicle or cause the same to be removed by private towing contractors approved by the Board of Public Works and Safety of the city to their vehicle impoundment sites where such vehicle shall be released only upon payment for the cost of towing such vehicle away from the place where it was illegally parked or stopped together with the cost to storage. (Ord. 1983-11, passed 6-21-83)

§ 85.3 PENALTY - PARKING METERS.

(A) Any person who violates any of the provisions of Chapter 78 of this title, with the exception of §§78.10 and 78.11 and any person who aids, abets, or assists therein, shall, upon conviction thereof, be subject to a fine of any amount not exceeding \$10 for each offense of violation. Provided, that, if within 48 hours after the violation, the owner or operator of the vehicle pays \$.50, no prosecution will be initiated; after 48 hours, the owner or operator must pay \$5 to avoid prosecution; and all payments shall be made by enclosing the required payment in the envelope provided with the notice of violation and depositing the envelope in the fine box located in City Hall, 225 West Monroe Street, Decatur, Indiana, or any night deposit box of the First State Bank of Decatur. Failure to make such payment within five days will render such owner or operator subject to the penalties hereinbefore provided for violation of the provisions of this chapter.

(B) Any person who violates any of the provisions of §§78.10 and 78.11 shall, upon conviction, be fined any sum not less than \$5 nor more than \$100. (Ord. 1983-11, passed 6-21-83; Am Ord. 1986-8, passed 9-23-86)

§ 85.4 PENALTY - MISCELLANEOUS VIOLATIONS.

Any person who violates any of the provisions of Title VII of the Decatur Code of 1978, except as otherwise specifically provided in this chapter or in any other chapter of this title, shall, upon conviction, be fined any sum not less than \$10 nor more than \$100. (Ord. 1986-8, passed 9-23-86)

