

**TITLE VII: TRAFFIC CODE**

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## CHAPTER 70: GENERAL PROVISIONS

### Section

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### **GENERAL PROVISIONS**

#### **§ 70.01 DEFINITIONS.**

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

***AUTHORIZED EMERGENCY VEHICLE.*** The following vehicles:

- (1) Fire Department vehicles;
- (2) Police Department vehicles;
- (3) Ambulances;
- (4) Emergency vehicles operated by or for hospitals or health and hospital corporations under I.C. 16-22-8;
- (5) Vehicles designated as emergency vehicles by the State Department of Transportation under I.C. 9-21-20-1;

(6) Motor vehicles that, subject to I.C. 9-21-20-2, are approved by the State Emergency Medical Services Commission, that are:

(a) Ambulances that are owned by persons, firms, limited liability companies or corporations other than hospitals; or

(b) Not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in I.C. 16-18-2-110).

(7) Vehicles of the Department of Correction that, subject to I.C. 9-21-20-3, are:

(a) Designated by the Department of Correction as emergency vehicles; and

(b) Responding to an emergency.

(I.C. 9-13-2-6)

**DRIVER.** A person who drives or is in actual physical control of a vehicle.

(I.C. 9-13-2-47)

**ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.** A self-balancing, two nontandem-wheeled device that is designed to transport only one person and that has the following:

(1) An electric propulsion system with average power of 750 watts or one horsepower; and

(2) A maximum speed of less than 20 mph when operated on a paved level surface, when powered solely by the propulsion system referred to in division (1) of this definition, and when operated by an operator weighing 170 pounds.

(I.C. 9-13-2-49.3)

**HIGHWAY or STREET.** The entire width between the boundary lines of every publicly-maintained way when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley.

(I.C. 9-13-2-73)

**INTERSECTION.**

(1) The area embraced within:

(a) The prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways that join at or approximately at right angles; or

(b) The area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(2) Where a highway includes two roadways at least 30 feet apart, every crossing of each roadway of the divided highway by an intersecting highway is regarded as a separate intersection. If the intersecting highway also includes two roadways at least 30 feet apart, every crossing of two roadways of the intersecting highway is regarded as a separate *INTERSECTION*.  
(I.C. 9-13-2-84)

### ***MOTOR VEHICLE.***

(1) Except as otherwise provided in this definition, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises or an electric personal assistive mobility device as those terms are defined in I.C. 9-13-2-56, 9-13-2-77 and this section.

(2) *MOTOR VEHICLE* also means:

(a) A vehicle, except a motorized bicycle, that is self-propelled; or

(b) A vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.  
(I.C. 9-13-2-105(a) and (b))

### ***MOTORCYCLE.***

(1) A motor vehicle with motive power that:

(a) Has a seat or saddle for the use of the rider;

(b) Is designed to travel on not more than three wheels in contact with the ground; or

(c) Satisfies the operational and equipment specifications described in 49 C.F.R. part 571 and I.C. 9-19.

(2) The term does not include a farm tractor or a motorized bicycle.  
(I.C. 9-13-2-108)

### ***OPERATOR.***

(1) Except as provided in division (2) below, *OPERATOR* when used in reference to a vehicle, means a person, other a chauffeur or a public passenger chauffeur, who:

(a) Drives or is in actual physical control of a vehicle upon a highway; or

(b) Is exercising control over or steering a motor vehicle being towed by another vehicle.

(2) **OPERATOR**, for purposes of I.C. 9-25, means a person other than a chauffeur who is in actual physical control of a motor vehicle.  
(I.C. 9-13-2-118)

**OWNER**. Except as otherwise provided in this section, **OWNER**, when used in reference to a motor vehicle, means:

(1) A person who holds the legal title of a motor vehicle; and

(2) If a motor vehicle is the subject of an agreement for the conditional sale or lease vested in the conditional vendee or lessee, or in the event that the mortgagor, with the right of purchase upon the performance of the conditions stated in the agreement and with an immediate right of possession of a vehicle, is entitled to possession, the conditional vendee or lessee or mortgagor.  
(I.C. 9-13-2-121(a))

**RIGHT-OF-WAY**. The privilege of the immediate use of a highway.  
(I.C. 9-13-2-155)

**ROADWAY**.

(1) Except as provided in division (2) below, the part of a highway improved, designed or ordinarily used for vehicular travel.

(2) As used in I.C. 9-21-12-13, the part of a highway that is improved, designed, or ordinarily used for vehicular travel. The term does not include the sidewalk, berm or shoulder, even if the sidewalk, berm or shoulder is used by persons riding bicycles or other human-powered vehicles.  
(I.C. 9-13-2-157)

**STREET**. See **HIGHWAY**.

**THROUGH HIGHWAY**. A highway or portion of a highway at the entrance to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on the through highway, in obedience to either a stop sign or a yield sign.  
(I.C. 9-13-2-178)

**VEHICLE**. A device in, upon or by which a person or property is or may be transported or drawn upon a highway.  
(I.C. 9-13-2-196(a))  
(Prior Code, § 70.01)

***TRAFFIC-CONTROL DEVICES***

**§ 70.15 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.**

Every driver of a vehicle shall stop in obedience to any stop sign erected by the town in accord with a map attached to the ordinance codified herein and the vehicles shall be stopped before entering the intersection.

(Prior Code, § 70.20) (Ord. 1977-1, passed 3-12-1977) Penalty, see § 70.99

**§ 70.16 OBEDIENCE TO SIGNALS.**

(A) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this Traffic Code or of a traffic barrier or sign erected by any of the public departments or public utilities of the town, or any electric signal, gate or watchperson at railroad crossings, unless otherwise directed by a police officer. However, the type and the right to or necessity for the barrier or sign must be approved by the town.

(B) The sign, signal, marking or barrier shall have the same authority as the personal direction of a police officer.

(Prior Code, § 70.21) Penalty, see § 70.99

**§ 70.17 INTERFERENCE WITH SIGNALS.**

It shall be unlawful for any person without authority to attempt to or in fact alter, deface, injure, knock down or remove any official control device or any railroad sign or signal, or any inscription, shield or insignia thereon, or any part thereof.

(Prior Code, § 70.22) Penalty see § 70.99

**§ 70.18 UNAUTHORIZED SIGNALS OR MARKINGS.**

(A) It shall be unlawful for any person to place, maintain or display on or in view of any street any unauthorized sign, signal, marking or device which purports to be, is an imitation of or resembles an official traffic device, railroad sign or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal containing any commercial advertising. Nothing in this section shall be construed as restricting any public department or public utility of the town in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the town.

(B) Every prohibited sign, signal or marking is declared to be a public nuisance and the town is empowered forthwith to remove it or cause it to be removed.

(Prior Code, § 70.23) Penalty, see § 70.99

**§ 70.99 PENALTY.**

(A) Any person, firm or corporation who violates any provision of this title for which another penalty is not specifically provided shall, upon conviction, be subject to a fine not exceeding \$2,500. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(B) (1) Subject to division (A) above, any person violating any provision of Chapter 74, Schedule I shall receive an initial warning given a reasonable time to move the vehicle.

(2) For a first offense, after an initial warning has been given for any violation under Chapter 74, Schedule I, a fine of not less than \$50; for a second offense, a fine of not less than \$100; for a third offense, a fine of not less than \$150.

(3) A further violation of Chapter 74, Schedule I may be subject to a fine as set forth in division (A) above.

(Prior Code, § 70.99) (Ord. 2014-2, passed 4-14-2014)



## CHAPTER 71: TRAFFIC REGULATIONS

### Section

#### *General Provisions*

- 71.01 Trucks prohibited on certain streets
- 71.02 Stop intersections
- 71.03 One-way streets

#### *Golf Carts*

- 71.15 Definition
- 71.16 Operations and limitations
- 71.17 Registration
- 71.18 Slow moving vehicle emblem
- 71.19 Liability insurance coverage
- 71.20 Exceptions
- 71.21 Enforcement
- 71.22 Effective date

#### *Cruising*

- 71.35 Definitions
- 71.36 Cruising prohibited
- 71.37 Posting of signs

- 71.99 Penalty

#### ***Cross-reference:***

*Abandoned vehicles, see Chapter 90*

#### ***Statutory reference:***

*Authority to enact local traffic regulations, see I.C. 9-21-1-3*

*Authority to lower local speed limits, see I.C. 9-21-5-6*

**GENERAL PROVISIONS****§ 71.01 TRUCKS PROHIBITED ON CERTAIN STREETS.**

No trucks, other than pickup trucks and passenger trucks and vans, shall be allowed to operate on any posted town streets unless they must use the particular street in question for the purpose of local pickup or delivery. Posted streets are those which have signs on them indicating that their use by through trucks is prohibited.

(Prior Code, § 71.01) Penalty, see § 71.99

**§ 71.02 STOP INTERSECTIONS.**

(A) The town may designate intersections as stop intersections and require all vehicles to stop at one or more entrances to the intersections.

(B) The town shall post signs at designated intersections, giving notice of the designation as a stop intersection.

(C) It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

(Prior Code, § 71.02) Penalty, see § 71.99

**§ 71.03 ONE-WAY STREETS.**

(A) The town may designate streets or highways as one-way streets or highways, and may require that all vehicles operated on the street or highway be moved in one specific direction.

(B) The town shall post signs at the entrance to the street or part of the street that is affected, giving notice of the designation as a one-way street.

(C) It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

(Prior Code, § 71.03) Penalty, see § 71.99

***GOLF CARTS*****§ 71.15 DEFINITION.**

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***GOLF CART.*** A four-wheeled vehicle originally designed for operation on a golf course and powered by a battery or an internal combustion motor.  
(Ord. 2019-2-2, passed 2-11-2019)

**§ 71.16 OPERATIONS AND LIMITATIONS.**

(A) Golf carts may be operated within the corporate limits of the town by persons who are 16 years of age and older and have a valid motor vehicle driver's license.

(B) No person whose driving privileges are suspended for any reason shall be permitted to operate a golf cart on any public street within the corporate limits of the town.

(C) All operators of golf carts shall abide by all traffic regulations applicable to vehicular traffic.

(D) Golf carts shall not be operated on sidewalks or in town parks other than in parking areas or recognized vehicle traffic areas.

(E) Golf carts shall be operated only if such carts are equipped with functional headlights and taillights, which are illuminated at all times, a windshield, brake lights and a center-mounted rear view mirror.

(F) Pursuant to I.C. 9-19-8-1 et seq., golf carts shall be equipped with a muffler or other dissipative noise device in good working order and in constant operation to prevent excessive noise. All operators of golf carts shall be subject to noise, fume and smoke regulations contained in I.C. 9-19-8-1 et seq.

(G) Golf carts may be operated within the town limits from dawn until dusk, except when special permission is given, by the Chief of Police, Town Manager, or their duly authorized designee or his or her designee, authorizing operation of golf carts outside the time limits set forth herein, during special town or civic events.

(H) Golf carts are permitted to traverse streets and highways under the jurisdiction of the Indiana Department of Transportation. However, golf carts may not be operated on, or travel across, U.S. 50, for any reason. With respect to all other streets or highways, golf carts shall cross streets to access other streets at street intersections only.

(Ord. 2019-2-2, passed 2-11-2019) Penalty, see § 71.99

**§ 71.17 REGISTRATION.**

Before any golf cart may be operated within the corporate limits of the town, the cart must be registered and receive a decal from the Town Police Department signifying its registration. A person desiring to register a golf cart shall bring documentation setting forth a description of said cart to the Town Police Department office and complete an application for registration of said cart. Upon registration and approval of the Town Police Department, the Town Clerk-Treasurer shall issue a decal to be applied to the rear of such cart so as to be plainly visible. There shall be a fee of \$35 for such registration paid through the Clerk-Treasurer's office. The decal, when issued, shall be nontransferable from the golf cart for which it is issued. The registration shall be effective for one year, or until such time as the cart is sold. New owners must register a golf cart within ten business days of change of ownership at a cost of \$35. If the registration is not transferred within ten business days, a \$20 penalty will be applied in addition to the \$35 transfer charge. Golf carts may be registered Monday through Friday during regular business hours at the Town Hall.

(Ord. 2019-2-2, passed 2-11-2019) Penalty, see § 71.99

**§ 71.18 SLOW MOVING VEHICLE EMBLEM.**

Before any golf cart may be operated within the corporate limits of the town, the cart must have affixed thereto a slow moving vehicle emblem as required by I.C. 9-21-9-2. The emblem shall conform with those standards and specifications adopted for slow-moving vehicles in 205 I.A.C. 1-1-1 et seq. Such emblem shall be mounted on the rear of such vehicles, in the approximate horizontal geometric center of the vehicle, at a height of three to five feet above the roadway, and shall be maintained at all times in a clean and reflective condition.

(Ord. 2019-2-2, passed 2-11-2019) Penalty, see § 71.99

**§ 71.19 LIABILITY INSURANCE COVERAGE.**

The operator or owner of a golf cart must show financial responsibility when registering the golf cart with the town and when the golf cart is in operation, at all times.

(Ord. 2019-2-2, passed 2-11-2019) Penalty, see § 71.99

**§ 71.20 EXCEPTIONS.**

(A) Nothing in this subchapter shall apply to any self-propelled, two-wheeled vehicle.

(B) Nothing in this subchapter shall apply to golf carts operated by the town or carts being operated for special events or for specific civic purposes, with permission of the Town Manager or Chief of Police.

(Ord. 2019-2-2, passed 2-11-2019)

**§ 71.21 ENFORCEMENT.**

The Town Police Department shall be charged with enforcement of this subchapter.  
(Ord. 2019-2-2, passed 2-11-2019)

**§ 71.22 EFFECTIVE DATE.**

This subchapter shall be in full force and effect commencing on February 11, 2019.  
(Ord. 2019-2-2, passed 2-11-2019)

***CRUISING*****§ 71.35 DEFINITIONS.**

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

***CONGESTED TRAFFIC.***

(1) Traffic on any public street, alley or highway which is delaying to the point that:

(a) Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within two complete green-light cycles, where the delay in forward movement is due to the position of other motor vehicles;

(b) Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light, stop sign or yield sign within a five-minute period of time, where the delay in forward movement is due to the position of other motor vehicles; or

(c) Motor vehicles cannot readily move forward on portions of public streets, alleys or highways between intersections because traffic speed is slowed to less than five mph, and the delay in movement is due to the position of other motor vehicles.

(2) The determination that a street, alley or highway is ***CONGESTED*** shall be made by the Chief of Police or ranking peace officer on duty within the affected area.

***CRUISING.*** The repetitive driving of any motor vehicle past a traffic-control point in traffic which is congested at or near the traffic-control point.

***GREEN-LIGHT CYCLE.*** The period commencing upon the switching of a traffic light from a red light to a green light through to the return of a red light.

**PEACE OFFICER.** The Chief of Police, his or her designee, any member of the Town Police Department, or other town, county or state official designated to enforce this subchapter.

**PROPERTY IN THE PROXIMITY OF ANY POSTED NO-CRUISE ZONE.** Any property which is both visible from and located within 300 feet of any portion of a street, alley or highway which is posted as a no-cruising zone pursuant to this subchapter.

**TRAFFIC-CONTROL POINT.** A location along a public street, alley or highway utilized by the Chief of Police or a peace officer on duty within the affected area as an observation point in order to monitor traffic conditions for potential violations of this title.

(Prior Code, § 71.50)

### § 71.36 CRUISING PROHIBITED.

(A) *Conduct prohibited.* It shall be unlawful to engage in the activity known as cruising, as defined in this subchapter, on the public streets, alleys or highways of the town in any area which has been posted as a no-cruising zone.

(B) *First violation.* Any person who violates division (A) above may be given a written warning stating that any subsequent passage past that traffic-control point within the next succeeding four hours will be a violation of this subchapter.

(C) *Subsequent violations.* Any person who, after having received a written warning under division (B) above, subsequently drives past or is a passenger in a vehicle passing the same traffic-control point within the next succeeding four hours shall be in violation of this subchapter.

(Prior Code, § 71.51) Penalty, see § 71.99

### § 71.37 POSTING OF SIGNS.

This subchapter may be enforced in any area which has been posted as a no-cruising zone. "No cruising" signs shall be posted at the beginning and the end of any public street, alley or highway, or portion thereof, which is a no-cruising zone.

(Prior Code, § 71.52)

### § 71.99 PENALTY.

(A) Any person, firm or corporation who violates any provision of this chapter for which another penalty is not specifically provided shall be subject to the provisions of § 70.99.

(B) (1) All penalties for violations of §§ 71.15 through 71.22 shall be subject to a fine of up to \$2,500 per violation.

(2) Subject to division (B)(1) above, any person violating any provision of §§ 71.15 through 71.22 shall be punished by a fine for the first offense of not less than \$25; for the second offense, not less than \$50. If a third offense is committed within one year of conviction of a second offense, the minimum fine shall be one \$100 and the owner's registration shall be revoked. If a registration is revoked, the owner shall pay a re-registration fee of \$200. The registered owner or family member cannot thereafter register a golf cart for use in the town for a period of two years following a third conviction.

(3) A further violation of §§ 71.15 through 71.22 may be subject to a fine as set forth in this section and subject to prosecution in a county court of law.  
(Ord. 2019-2-2, passed 2-11-2019)





## CHAPTER 72: PARKING REGULATIONS

### Section

- 72.01 No parking where posted
- 72.02 Limited parking
- 72.03 Other parking restrictions
- 72.04 Parking for persons with physical disability

72.99 Penalty

#### ***Cross-reference:***

*Abandoned vehicles, see Chapter 90*

#### ***Statutory reference:***

*Authority to enact local parking regulations, see I.C. 9-21-1-3*

### **§ 72.01 NO PARKING WHERE POSTED.**

No person shall stop, stand or park a vehicle upon the public streets of the town at any place where official signs or where appropriate devices, marks or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit those acts.

(Prior Code, § 72.01) Penalty, see § 72.99

### **§ 72.02 LIMITED PARKING.**

No person shall stop, stand or park a vehicle upon the public streets of the town where official signs are erected limiting the parking time thereon, for a period of time in excess of the time as designated by the official signs.

(Prior Code, § 72.02) Penalty, see § 72.99

### **§ 72.03 OTHER PARKING RESTRICTIONS.**

(A) The Town Council may order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic

thereon. The signs, devices, marks or painting shall be official signs, devices, marks or painting; and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

(B) (1) All vehicular parking on public sidewalks within the corporate limits of the town is strictly prohibited.

(2) The town, its police officers and any other law enforcement personnel shall have the authority to enforce the parking prohibition pursuant to the usual and customary procedures for enforcement of traffic rules, regulations and statutes.

(Prior Code, § 72.03) (Ord. 2007-3, passed 4-9-2007) Penalty, see § 72.99

#### § 72.04 PARKING FOR PERSONS WITH PHYSICAL DISABILITY.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

***PERSON WITH A PHYSICAL DISABILITY.*** Any person who has been issued a placard or special registration plate or decal for a motor vehicle by the State Bureau of Motor Vehicles under I.C. 9-14-5, 9-18-18, 9-18-22 or the laws of another state.

(B) *Parking prohibited.*

(1) It shall be unlawful for any person to park a motor vehicle, motorcycle, moped, bicycle or other vehicle of any nature, which does not have displayed a placard for a person with a physical disability issued under the laws of this state or the laws of another state, in a parking space reserved for a vehicle of a person with a physical disability.

(2) It shall be unlawful for any person to knowingly park in a parking space reserved for a person with a physical disability while displaying a placard to which neither the person nor the person's passenger is entitled.

(C) *Violation.* If any vehicle is parked unlawfully in violation of any of the provisions of this section and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

(D) *Towing.* In addition to any fines which may be given as a result of violations of this section, any vehicle which is parked in a manner in violation of this section may be towed to an area designated by the town at the owner's expense. The owner shall also be required to pay any and all storage fees resulting from this action.

(Prior Code, § 72.04) Penalty, see § 72.99

***Statutory reference:***

*Similar state law, see I.C. 5-16-9*

**§ 72.99 PENALTY.**

(A) Any person, firm, or corporation who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be subject to a fine not exceeding \$100. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(B) Any person who violates § 72.03(B) shall be liable for a fine of up to \$100.  
(Prior Code, § 72.99) (Ord. 2007-3, passed 4-9-2007)



**CHAPTER 73: TRAFFIC SCHEDULES**

Schedule

I. Stop intersections

**SCHEDULE I. STOP INTERSECTIONS.**

<i>Location</i>	<i>Type of Stop</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Bank Street and Front Street	Four-way	2017-06-02	5-8-2017
Central Avenue with Oak Street	Four-way	2006-6	7-10-2006
Main Street and Wood Street	Four-way	1-1979	1-20-1979

(Prior Code, Ch. 73, Sch. I) Penalty, see § 70.99



**CHAPTER 74: PARKING SCHEDULES**

Schedule

I. Prohibited parking

**SCHEDULE I. PROHIBITED PARKING.**

<i>Street</i>	<i>Location</i>	<i>Prohibition</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Front Street	Between U.S. 50 and Front Street with Bank Street	At all times	2017-06-03	5-8-2017
Front Street	East side of Front Street from Bank Street to the Dillsboro Methodist Church parking lot located on the south side of church at Front Street	Parking permitted only for church patrons or visitors from 7:00 a.m. to 1:00 p.m. each Sunday	2020-9-2	9-28-2020
North Street	On the south side from sign installation and/or curb paint designation at or near 12854 North Street to sign and/or white paint curb designation just east of the United States Post Office	No parking 8:00 a.m. to 5:00 p.m. Monday to Friday	2014-2	4-14-2014

(Prior Code, Ch. 74, Sch. I) Penalty, see § 70.99

